



# भारत का राजपत्र

## The Gazette of India

प्राचिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 12] नई विहारी, शनिवार, भार्च 19, 1966/फाल्गुन 28, 1887

No. 12] NEW DELHI, SATURDAY, MARCH 19, 1966/PHALGUNA 28, 1887

इस भाग में भिन्न पृष्ठ संख्या की जाती है जिससे कि वह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed  
as a separate compilation

### नोटिस

#### NOTICE

नीचे लिखे भारत के असाधारण गजपत्र 9 मार्च, 1966 तक प्रकाशित किए गये।

The undermentioned Gazettes of India Extraordinary were published up to the 9th March, 1966.—

Issue No.	No. and Date	Issued by	Subject
56	S.O. 722, dated 4th March, 1966.	Ministry of Information and Broadcasting.	Approval of the films as specified therein.
	S.O. 723, dated 4th March, 1966.	Do.	Corrigendum to S.O. 485, dated 5th February, 1966.
57	S.O. 724, dated 4th March, 1966.	Election Commission, India.	List of contesting candidates.
58	S.O. 725, dated 4th March, 1966.	Ministry of Commerce.	Authorising Shri B. P. Upadhyaya to take over the management of the Hira Mills Ltd., Ujjain subject to the terms and conditions as mentioned therein.
59	S.O. 726, dated 6th March, 1966.	Ministry of Home Affairs.	Application of Rule 32 of the Defence of India Rules, 1962 to the Mizo National Front.

Issue No.	No. and Date	Issued by	Subject
60	S.O. 766, dated 9th March, 1966.	Election Commission, India.	Calling upon the elected members of the Legislative Assembly of each State or the members of the Electoral College of each Union Territory to elect the number of members specified against that State or Union Territory to the Council of States as mentioned in the Table therein and appointing dates for the election.
	S.O. 767, dated 9th March, 1966.	Do.	(a) Designating some officers against that State as Returning Officer for the election referred to in S.O. 766. (b) Appointing the Officer as Assistant Returning Officer for the election referred to in S.O. 766.
	S.O. 768, dated 9th March, 1966.	Do.	Fixation of hours for the election referred to in S.O. 766.

उपर लिखे असाधारण गजटों की प्रतिथां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जाएंगी। मांगपत्र प्रबन्धक के पास हन गजटों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

## भाग II — संख 3—उपसंख (ii)

### PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संसद संसद प्रशासन को छोड़कर) संघीय प्राधिकरणों द्वारा जारी किए गए विविध आदेश और अधिसूचनाएं।

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).**

### MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 8th March 1966

**S.O. 773.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, the President, after consultation with the Comptroller and Auditor General in relation to persons serving in the

Indian Audit and Accounts Department, hereby makes the following rules further to amend the Central Services (Remittances into and Payments from Provident Fund) Rules, 1960, namely:

1. These rules may be called the Central Services (Remittances into and Payments from Provident Fund Amendment Rules, 1960).

2. In the Central Services (Remittances into and Payments from Provident Fund) Rules, 1960, for the existing rule 5, the following rule shall be substituted, namely:—

**"5. Interpretation of questions.**—If any question arises relating to the interpretation of these rules the same shall be decided by the Central Government."

[No. F. 27(31)-E.V.(B)/65.]

C. V. NAGENDRA, Dy. Secy.

**(Department of Economic Affairs)**

*New Delhi, the 9th March 1966*

**S.O. 774.**—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (2) of section 11 of the said Act shall not be applicable to the National Bank of Pakistan, Calcutta and the Habib Bank Limited, Bombay till the 31st December 1966.

[No. F. 17(19A)-BC/65.]

V. SWAMINATHAN, Under Secy.

(Department of Economic Affairs)

New Delhi, the 11th March 1966

S.O. 775.—Statement of the Affairs of the Reserve Bank of India as on the 4th March, 1966

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid up	5,00,00,000	Notes	27,91,44,000
		Rupee Coin	2,73,000
Reserve Fund	80,00,00,000	Small Coin	3,66,000
National Agricultural Credit (Long Term Operations) Fund	100,00,00,000	Bills Purchased and Discounted:—	
		(a) Internal	..
		(b) External	..
		(c) Government Treasury Bills	47,87,42,000
National Agricultural Credit (Stabilisation) Fund	10,00,00,000	Balances Held Abroad*	15,16,68,000
National Industrial Credit (Long Term Operations) Fund	15,00,00,000	Investments**	110,93,48,000
		Loans and Advances to:—	
		(i) Central Government	..
		(ii) State Governments@	175,18,23,000

## Deposits :—

## (i) Government :—

## (i) Central Government

53,81,90,000      Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—

## (ii) State Governments

3,39,12,000      (a) Loans and Advances to :—

(i) State Governments      29,20,37,000  
 (ii) State Co-operative Banks      12,24,51,000  
 (iii) Central Land Mortgage Banks      ..

## (ii) Banks :—

## (i) Scheduled Banks

108,92,83,000      Loans and Advances from National Agricultural Credit

## (ii) State Co-operative Banks

4,89,27,000      (Stabilisation) Fund—

## (iii) Other Banks

32,35,000      Loans and Advances to State Co-operative Banks

Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—

## (c) Others

214,53,17,000      (a) Loans and Advances to the Development Bank      3,08,87,000

## Bills Payable

34,60,31,000      (b) Investment in bonds/debentures issued by the

## Other Liabilities

87,58,23,000      Development Bank      ..

Other Assets      ..

43,03,35,000

Rupees      717,77,18,000

Rupees      717,77,18,000

\*Includes Cash and Short-term Securities.

\*\*Excluding investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

③ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 22,67,12,000 advanced to scheduled banks against usance bills under section 17(4)(c) of the R. B. I. Act.

††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 9th day of March, 1966.

An account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 4th day of March, 1966  
 ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department			Gold Coin and Bullion :—		
Notes in circulation	27,91,44,000	28,52,67,93,000	(a) Held in India	115,89,25,000	
Total Notes issued	28,80,59,37,000		(b) Held outside India		
TOTAL LIABILITIES	2880.59,37,000		Foreign Securities	95,05,24,000	
			TOTAL	210,94,49,000	
			Rupee Coin	93,37,56,000	
			Government of India Rupee Securities	25,76,27,32,000	
			Internal Bills of Exchange and other commercial paper	..	
			TOTAL ASSETS	28,80,59,37,000	

Dated the 9th day of March, 1966.

P. C. BHATTACHARYYA,

Governor.

[No. F. 3(3)-BC/66.]

R. K. SESHADRI, Director (Banking).

CORRIGENDUM

In the statement of the Affairs of the Reserve Bank of India as on the 28th January 1966—Banking Department published in Part II—Section 3—Sub-section (ii) of the Gazette of India dated the 12th February 1966 on pages 378-379, the figure against "Deposits—(b) Banks—(i) Scheduled Banks" on the Liabilities side should read as 107,60,06,000.

## (Department of Revenue)

## INCOME-TAX

New Delhi, the 10th March 1966

S.O. 776.—In pursuance of sub-section (1) of section 287 of the Income-tax Act, 1961 (43 of 1961) and in continuation of the Ministry of Finance Notification No. 34 (1/3/65-IT), dated 30th April, 1965, published as No. S.O. 1551, in Part II—Section 3—Sub-Section (ii) of the Gazette of India, dated the 15th May, 1966, the Central Government being of the opinion that it is expedient in the public interest so to do, hereby publishes the further names of assessees:—

- (a) being individuals or Hindu undivided families who have been assessed on an income of more than a lakh of rupees;
- (b) being firms, association of persons or Companies who have been assessed on an income of more than ten lakhs of rupees; during the financial year 1961-62.

I. Names of all Individuals and Hindu undivided families assessed on an income over Re. 1 lakh in the financial year 1961-62.

Serial No.	Name and address of the assessee	Status	Asstt. Year	Income assessed
1	2	3	4	5

## Assam

1620	Kissenlal Agarwalla Bismile P.O. Chabua. Distt. Lakhimpur	HUF	1961-62	1,24,003
1621	Bansidhar Badridas Modi, Dibrugarh	HUF	1958-59	1,01,765
1622	Mr. R.W. Wachter C/o A.C.C. Ltd., Digboi	Indl.	1959-60	1,62,396
1623	Mr. W.P. Machlachan C/o A.O.C. Ltd., Digboi	Indl.	1960-61	1,04,034
				1,14,847

## Andhra Pradesh

1625	Shri M. Balakrishna Reddy, Gudur	Ind.	1957-58	1,70,506
1626	Shri M. Rangareddy, Gudur	Ind.	1957-58	1,60,506
1627	Shri M. Venkatasubba Reddy, Gudur	Ind.	1957-58	1,60,506

## Bombay City-I

1628	Shri A. Raptakas, Raptakas Brett & Co., Annie Basant Road, Worli, Bombay	Ind.	1959-60	1,88,946
1629	Shri A.D. Mule, Burmah Shell House, Bal- lard Estate House, Bombay-I	Ind.	1962-63	1,08,790 Sec. 24-A
1630	Shri A.E. Hawke, Burmah Shell Refinery, Trombay, Bombay-74	Ind.	1961-62	1,35,479
1631	Shri A.G. Wagle C/o Jodhpur Com. Bank Ltd., Tamarind Lane, Fort, Bombay-I	Ind.	1952-53	2,14,000
1632	Shri A.G.B. Davidson C/o Burmah Shell Stora- ge, Burmah Shell House, Ballard Estate, Bombay-I	Ind.	1961-62	1,13,657
1633	Shri A.F.L. Thosigar, 9-Wallace Street, Fort Bombay	Ind.	1961-62	2,53,469
1634	Shri A.M. Mostert, Burmah Shell Refinery, Trombay, Bombay-74	Ind.	1961-62	1,15,397
1635	Mr. A.T.F. Stallard, 21-Cambridge Road, Colchester, Essex, England	Ind.	1960-61	1,19,496
1635	Shri B.A. Curdie, Burmah Shell Storage Bur- mah Shell House, Ballard Estate, Bom- bay-I	Ind.	1961-62	1,23,124
1637	Shri B.G. Gibson, C/o Burmah Shell Storage, Burmah Shell House, Ballard Estate, Bom- bay-I	Ind.	1961-62	1,01,960

1	2	3	4	5
1638	Sh. B.H.J. Thomas, Burmah Shell House, Ballard Estate, Bombay-1	Ind.	1961-62	1,00,109
1639	Shri B.K. Thakor, Oriental Metal Pressing Work P. Ltd., 131 Worli, Bombay-18	Ind.	1960-61	1,98,851
1640	Shri C. Wilhelm C/o Protos Engg. Co. J.T. Road, Bombay-1	Ind.	1958-59	1,14,092
1641	Sh. C.G. Headley, Fire Stone Tyre & Rubber Co. of India P. Ltd., Hay Bunder Road, Bombay-33	Ind.	1961-62	1,15,176
1642	Sh. Rai Bahadur Chunilal, Filmistan Ltd., Horniman Circle, Bombay	Ind.	1950-51	1,43,089
1643	Trustees of Smt. Clara Byng., Navelli House, Ballard Estate, Bombay-1	Ind.	1961-62	2,27,640
1644	Sh. D.B. Kattrak Khatau Mackanji Spg. & Wvg. Mills Ltd., Byculla, Bombay-27	Ind.	1961-62	1,02,900
1645	Shri D.H. Hirandini C/o Sindhu Resettlement Copn., Karimji House, Sir P.M. Road, Bombay-1	Ind.	1957-58	1,51,120
1646	Sh. D.S. Barron, C/o Godfrey Phillips Ltd., Chikala, Andheri, Bombay	Ind.	1961-62	1,14,370
1647	Sh. E.D. Shepherd, Klick Industries Co. Ltd., Home Street, Bombay-1	Ind.	1957-58 1959-60	1,85,294 1,63,307
1648	Sh. E.G. Weaver, Burmah Shell Refinery, Trombay, Bombay-74	Ind.	1961-62	1,30,389
1649	Sh. E.P. Nicholas C/o Gammon India Ltd., 135D Annie Basant Road, Worli, Bombay-18	Ind.	1957-58	1,41,654
1650	Sh. F.H. Pasco, Firestone Tyre & Rubber Co. of India P. Ltd., Hay Bunder Road, Bombay-33 DD	Ind.	1961-62	1,06,481
1651	Sh. F.L.J. Suren C/o M/s. Teddington Chem. Ltd., United India Bldg., Sir P.M. Road, Bombay-1	Ind.	1959-60	2,98,742
1652	Sh. F.W. Bell C/o Ciltex (India) Ltd., Ciltex House, Ballard Estate, Bombay-1	Ind.	1957-58	1,05,893
1653	Sh. G. Makli, Filmistan Ltd., Horniman Circle, Fort, Bombay	Ind.	1950-51	1,43,474
1654	Sh. G.D. Thakoor C/o Oriental Metal Pressing (P) Ltd., 131, Worli, Bombay-18	Ind.	1960-61	2,14,764
1655	Sh. G.L. Anderson, Firestone Tyre & Rubber Co. of India, (P) Ltd., Hay Bunder Road, Bombay-33 DD.	Ind.	1961-62	1,91,403
1656	Sh. G.L. Merchant, 249-Dr. D.N. Road, Bombay-1	Ind.	1961-62	1,11,604
1657	Sh. G.M. Talati, M/s Spun Pipe Const. Co. Ltd., Brahmapuri, Kusla Road, Bombay	Ind.	1957-58	1,20,294
1658	Sh. G.T. Warner, Firestone Tyre & Rubber Co. of India (P) Ltd., Hay Bunder Road, Bombay-33 DD.	Ind.	1961-62	1,20,627
1659	Sh. G.W.R. Smith, Burmah Shell House, Ballard Estate, Bombay-1	Ind.	1961-62	1,18,597
1660	Mrs. H.C. Captain (legal heir of Mr. H.C. Captain) 4 Bandra Hill, Bandra, Bombay-50	Ind.	1956-57	2,34,955
1661	Sh. I.W. Sharp, C/o Sharp & Tannan, Bank of Bundi Building, Apollo St. Bombay-1	Ind.	1959-60	1,27,391
1662	Shri J. Garney, Burmah Shell Refinery, Trombay, Bombay-74	Ind.	1957-58	1,34,273
1663	Shri J.D. Elliot, East Asiatic India Ltd., Wavel House, Ballard Estate, Bombay	Ind.	1959-60	1,31,905
1664	Trustees of J.M. Lubrinoff, Navelli House, Ballard Estate, Bombay-1	Ind.	1961-62	1,40,140
1665	Sh. John Higham, M/s. S.K.F. Ball Bearing Co. Ltd., M.G. Memorial Building, N.S. Road, Bombay-2	Ind.	1961-62	1,61,898

1	2	3	4	5
1666	Sh. K.G. Milne, Killick Industries Co. Ltd., Home Street, Bombay-1	Ind.	1957-58 1958-59	1,55,005 1,36,564
1667	Sh. K.J. Kapadia, Firestone Tyres & Rubber Co. of India Ltd., Hay Bunder Road, Bombay-33DD	Ind.	1959-60	1,19,491
1668	Sh. K.M. Phillips, C/o India Coffec & Tea Distributing Co. P. Ltd., 279 Dr. D.N. Road, Bombay-1	Ind.	1961-62	1,02,839
1669	Sh. L.D. Mudie, C/o Burmah Shell Storage, Burmah Shell House, Ballard Estate, Bombay-1	Ind.	1961-62	1,80,685
1670	Sh. L.J. Nash, C/o Caltex (India) Ltd., Caltex House, Ballard Estate, Bombay-1	Ind.	1960-61	1,60,928
1671	Sh. M.L. Dahanukar, Industrial Assurance Building, Churchgate, Bombay-1	Ind.	1957-58 1958-59	9,89,594 7,44,271
1672	Smt. Maniben C.S. Patel, Kodak House, Dr. D.N. Road, Bombay-1	Ind.	1961-62	1,63,589
1673	Shri N.D. Sirpur, C/o M/s. Sirpur & Co., Forbes Street, Bombay-1	Ind.	1955-56	1,19,745
1674	Sh. N.L.I. Mathias, Neo Pharma Pvt. Ltd., Kasturi Building, J. Tata Road, Bombay-1	Ind.	1961-62	1,21,249
1675	Sh. N.M. Sinclair, C/o Burmah Shell Storage, Burmah Shell House, Ballard Estate, Bombay-1	Ind.	1961-62	1,08,288
1676	Sh. N.V. Badiani, M/s. Jivanlal & Co. Ltd., 50 Princess Street, Bombay	Ind.	1960-61	1,73,304
1677	Sh. O.M. Ilbert, Burmah Shell House, Ballard Estate, Bombay-1	Ind.	1961-62	1,03,936
1678	Shri P.C.R. Coals, Burmah Shell House, Ballard Estate, Bombay-1	Ind.	1961-62	1,16,076
1679	Sh. P.D. Tew, Burmah Shell House, Ballard Estate, Bombay-1	Ind.	1961-62	1,45,393
1680	P.E. Esserlis, C/o Bombay Co. Wallace St. Bombay-1	Ind.	1960-61	1,22,833
1681	Sh. R.E. Peters, Burmah Shell House, Ballard Estate, Bombay-1	Ind.	1961-62	1,33,046
1682	Sh. R.L. Garesam C/o Caltex (India) Ltd., Caltex House, Ballard Estate, Bombay-1	Ind.	1960-61	1,07,478
1683	Sh. R.P. Thomas, Firestone Tyre & Rubber Co. of India (Ltd.), Hay Bunder Road, Bombay-33 DD	Ind.	1961-62	1,27,044
1684	Sh. R.S. Parikh, Grand Wood Works & Saw Mills, Cannought Road, Ghorapdeo, Bombay	Ind.	1960-61	1,03,696
1685	Sh. Sorabh S. Engineer, C/o S.S. Engineer & Co., Dr. D.N. Road, Bombay-1	Ind.	1961-62	1,03,496 includes C.G. Rs. 45,712
1686	Princess Tara Rajya Laxmi Devi, Jaya Bhavan, Gangadhara Chetty Road, Bangalore	Ind.	1957-58	Rs. 1,64,126 income considered in the hands of Gen. Kri- shna SSJB Rana.
1687	Mrs. Usha Rai, Fashion Prints Pr. Ltd., 221, Dr. D. N. Road, Bombay-1	Ind.	1960-61	1,22,146
1688	Sh. V.M. Parekh, Batlioboi & Co., Forbes Street, Bombay-1	Ind.	1961-62	1,28,802
1689	Sh. V. D. P. Ryan C/o Caltex India Ltd., Bombay	Ind.	1961-62	2,40,011

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*Bombay City-II*

1690	Shri A. E. Maskati, Maskati House, Mohamed-ali Rd., Bombay-3.	Ind.	1959-60	1,75,696
1691	Late Shri A. J. Patel C/o Patel India Pvt. Ltd., Kitab Mahal, Hornby Road, Bombay	Ind.	1960-61	1,41,168
1692	Sh. Abdul Hamid Mohd. Ebrahim, 165/167, Nagdevi St. Bombay-3.	Ind.	1959-60	1,27,489
1693	Sh. Abdul Majid Mohd. Ebrahim, 165/167, Nagdevi St. Bombay-3.	Ind.	1959-60	1,36,219
1694	Abhat Brij Lal H., Prop. M/s. H. R. Hrij Lal & Co. Beauman Chambers, Bombay	Ind.	1961-62	1,68,311
1695	Sh. Ahmed Haji Ebrahim, 99, Mohamedali Rd., Bombay	Ind.	1961-62	1,07,555
1696	Anil Kumar Brij Lal, 126, Narayan Dhuru St., Bombay	Ind.	1959-60	1,32,708
1697	Sh. Arvind C. Parikh, 28, Apollo Street, Bombay.	Ind.	1961-62	1,03,346
1698	Sh. B. H. Sheth, 29, Apollo St., Bombay	Ind.	1961-62	1,86,621
1699	Sh. B. J. Advani, C/o M/s. A. F. Fergusen & Co., Apollo St., Fort, Bombay	Ind.	1960-61	1,68,438
1700	Sh. B. K. Mehta, 28, Apollo St., Bombay	Ind.	1961-62	2,33,044 Includes CGT
1701	Sh. B. M. Ghia, 28, Apollo St. Fort, Bombay.	Ind.	1961-62	3,53,112
1702	Sh. Babubhai Fakirchand, Gaya Bldg., Bombay	Ind.	1961-62	1,15,436
1703	Sh. C. P. Wadia, 70, Forbes St., Bombay	Ind.	1961-62	1,22,294
1704	Sh. C. W. Lloyds, C/o M/s. Ford Rhodes Parks, Apollo St., Bombay	Ind.	1961-62	1,50,003
1705	Smt. Chandrakanta B. Ghia, 28, Apollo Street, Fort Bombay	Ind.	1961-62	1,12,329
1706	Sh. D. D. Chothia, Mehta House, Apollo St., Bombay	Ind.	1961-62	1,14,280
1707	Lala Dar Shamkumar Agarwal, 126, Narayan Dhuru St., Bombay	Ind.	1960-61	1,03,737
1708	Shri Dhirajlal Morarji, 37-A, Sarang Street, Bombay	Ind.	1961-62	1,00,297
1709	Sh. Esmail Haji Ali Mohamed, 93/97, Mohamedali Rd., Bombay	Ind.	1960-61	1,36,738
1710	Sh. G.C. Parikh, 28, Apollo St., Bombay	Ind.	1961-62	1,14,867
1711	Shri G. I. Patel, Karmani Building, Sir P.M. Road, Bombay-1.	Ind.	1950-51 1951-52	1,27,674 1,23,314
1712	Sh. Gokuldas Velji, C/o. M/s. Velji Kalidas & Sons, Gaya Building, Bombay	Ind.	1961-62	1,44,288
1713	Sh. H. J. Engineer, 16, Slaughter Road, Bombay-7.	Ind.	1961-62	1,01,911
1714	Sh. H. K. Bhavrani, Mehta House, Apollo St., Bombay	Ind.	1961-62	1,25,772
1715	The Court Receiver in Suit No. 3415 of 47 H. C. Bombay, Shri Haji Ali Haji Mohamed	Ind.	1961-62	1,37,229
1716	Sh. Harish Mahindra, C/o M/s. Mahindra & Mahindra Ltd., Gate Way Bldg., Apollo Bunder, Bombay-1.	Ind.	1961-62	2,11,633
1717	Sh. Homi H. Mehta, Mehta House, Apollo Street, Bombay	Ind.	1961-62	2,09,958
1718	Sh. I. B. Wilson, C/o M/s. Ford Rhodes Parks & Co., Apollo St. Fort, Bombay	Ind.	1961-62	1,04,131
1719	Sh. J. F. Gazder, C/o M/s. J. S. Gazder & Sons, Share Bazar, Bombay	Ind.	1961-62	1,83,605
1720	Dr. J. M. Lakhani, C/o M/s. Modern Eng. Co., 107, Apollo St., Bombay	Ind.	1960-61	1,20,372
1721	Sh. Jal H. Mehta, Mehta House, Apollo St., Bombay.	Ind.	1961-62	3,03,091

1	2	3	4	5
1722	Sh. K. B. Daga, 65, Apollo St., Fort Bombay	H.U.F.	1957-58 1958-59 1959-60 1960-61	3,31,950 3,37,739 3,70,175 3,72,657
1723	Smt. Kamla D. Ghia, 28 Apollo Street, Bombay	Ind.	1961-62	1,50,801
1724	Sh. Keshub Mahindra, C/o M/s. Mahindra & Mahindra Ltd. Gateway Bldg., Apollo Bunder, Bombay-1.	Ind.	1961-62	2,11,449
1725	Sh. Khanalli Allimohamed 182/84 Abdul Rehman St., Bombay	Ind.	1956-57	1,07,910
1726	Sh. Kirtikumar M. Mehta 96, Narayan Dhuru St., Bombay	Ind.	1961-62	1,07,035
1727	Sh. Latif Ibrahim, 137, E.R. Rd., Bombay	Ind.	1959-60	1,31,503
1728	Sh. M. Sivarama Krishnan, 88/84, Abdul Rehman St., Bombay	Ind.	1958-59	1,34,347
1729	Sh. M.A. Chaiwala, 15, Military Sqr. Lane, Bombay	Ind.	1961-62	1,05,121
1730	Sh. M. B. Shah, 96 N.D. St., Bombay	Ind.	1961-62	1,16,725
1731	Sh. M. C. Thakore, C/o M/s. Shakti Trading Co. 22, Apollo St., Bombay	Ind.	1961-62	1,02,249
1732	Sh. Mohamed Jaffer Haji Ebrahim, 99, Mohamedali Rd., Bombay	Ind.	1961-62	1,16,118
1733	Sh. Murlidhar Lokram, 50, Nakhoda Street, Bombay	Ind.	1959-60	1,17,160
1734	Sh. N. J. Patel, C/o M/s. Fulabhai & Co. 134, Medows St., Bombay	Ind.	1961-62	1,01,275
1735	Sh. N. P. Lulla, 335, Victoria Garden Rd., Bombay	Ind.	1958-59	1,12,871
1736	Mrs. P. P. Mistry, 6, Rampart Row, Bombay	Ind.	1961-62	1,27,704
1737	Sh. Ram Chandra Jethmal, Prop. Bhagwandas Ramchand, Abdul Rehman St., Bombay	Ind.	1959-60	1,53,700
1738	Sh. S. W. Persiwal C/o M/s. Ford Rhodes Parks & Co., Apollo, S. Bombay	Ind.	1961-62	1,32,525
1739	Smt. Shirinbai A. Maskati, Maskati House, Mohamedali Rd., Bombay-3.	Ind.	1960-61	1,01,687
1740	Sh. Shivanand Jethalal Shah, 28, Apollo St., Bombay	Ind.	1961-62	1,94,982
1741	Bal Subhadrabai, 415-417 Abdul Rehman St., Bombay	Ind.	1955-56 1957-58	1,34,759 1,08,913
1742	Sh. Sulemanjee Mohamedali, 72, Abdul Rehman St., Bombay-3.	Ind.	1956-57	1,06,058
1743	Sh. Suresh Mahindra, C/o M/s. Mahindra & Mahindra Ltd., Gateway Bldg., Apollo Bunder, Bombay-1.	Ind.	1961-62	1,31,857
1744	Lala Vijay Kumar, 126, Narayan Dhuru St., Bombay	Ind.	1960-61	1,32,496
1745	Sh. Y.N. Shah, C/o M/s. Navalchand T. Shah & Co. 102, Stock Exchange Building, Bombay	Ind.	1961-62	1,65,713
1746	Sh. Zaki A. Maskati, Maskati House, Mohamedali Rd., Bombay	Ind.	1960-61	1,55,453
1747	Miss Ziya A. Maskati, Maskati House, Mohamedali Road, Bombay	Ind.	1960-61	1,17,453

### Bombay City III

1748	Shri A. C. Shah, C/o Modern Textiles Mills, Work Bombay	Ind.	1960-61	1,31,542
1749	Mrs. Aloo Perin & Mrs. M. S. Karamjia Legal heirs of Sh. F. H. Dinsha Adenwala, Adenwalla Bang, Tardeo, Bombay	Ind.	1957-58 1960-61	1,36,759 1,36,955
1750	Sh. D. V. Shah, 10-D Hill Rd., Bandra	H.U.F.	1960-61	1,46,097
1751	Miss Diana C. Wadia, Naville House, Balard Estate, Bombay	Ind.	1961-62	1,46,097

1	2	3	4	5
1752	Sh. Harkishore Jain, C/o M/s. India Hosiery Factory, Kalachowky Road., Bombay	Ind.	1961-62	1,57,759
1753	Sh. Jayantilal Mohanlal, C/o M/s. Parle Products, Thakersey House, Ballard Estate, Bombay-1	Ind.	1961-62	5,59,171
1754	Sh. K. N. Bhatt, C/o New Standard Chemical Co. P. Ltd, Samuel Street, Bombay	Ind.	1961-62	1,06,622
1755	Sh. Kwaja Mohamed, Khoja Manzil, G.B. Rd., Bandra	Ind.	1959-60	1,13,509
1756	Sh. M. G. Kotibhaskar Krishna Kamal, Gokhale Rd., North Bombay	Ind.	1961-62	1,38,330
1757	Sh. Mangaldas Bhuta, 23 Ovalwadi, Bombay	Ind.	1960-61	1,72,059
1758	Sh. Sham Sunder Badridas, 156, Tardco, Bombay	Ind.	1957-58	1,83,408
1759	Sh. Sultanali S. Baroda walla, Clare Road., Bombay	Ind.	1961-62	1,85,360
1760	Sh. V. H. Thakkar, C/o Max Design & Process Works Pvt. Ltd., 345, Sayani Rd., Bombay	Ind.	1961-62	1,08,887
1761	Sh. Vishindas Sobhraj, C/o M/s. J. Kimatrai & Co., B. M. Rd., P.O. Box 2054, Bombay-2.	H.U.F.	1960-61	1,16,839
1762	Sh. Vishwanath Kapoor, 8, Mirza St., Bombay	Ind.	1959-60	1,12,333
<i>Bombay Central</i>				
1763	Shri Bhaichand R. Doshi, 11Ind Pofalwadi, Bombay	Ind.	1951-52	1,96,000
1764	Basantibai Govindram, 139, Meadows Street, Bombay	Ind.	1956-57	7,02,164
1765	Smt. Bhagandevi Chiranjilal 17, Walkeshwar, Road, Bombay	Ind.	1960-61 1961-62	1,05,728 1,01,246
1766	Shri Gopaldas Tulsiram Gupta Mills Estate, Ready, Road, Bombay	Ind.	1957-58	2,00,192
1767	Shri Gopaldas Tusliram L/H of Late Shri Tulsiram Devidayal, Gupta Estate (Mill) Ready Rd., Bombay	Ind.	1957-58	1,93,056
1768	Shri G. L. Natu, Bank of Baroda Bldg. Palton Rd., Bombay	Ind.	1961-62	1,47,758
1769	Sh. Hashambhoy Jetha, C/o M/s. Hashamboy Jetha, Opp. Byculla Goods Deptt. Byculla, Bombay-27.	Ind.	1959-60 1960-61	9,15,722 2,74,497
1770	Sh. Kudilal Govindram, 139 Medows Street, Bombay	Ind.	1956-57	12,91,684
1771	Sh. Kirtikumar Nathalal, 118 Kansare Chawal, Bombay	Ind.	1959-60	1,34,400
1772	Sh. K. S. Khushlani, Prop. M/s. James Eng. Co. Ltd. Warden House Sir P. M. Rd., Fort Bombay	Ind.	1953-54	3,53,558
1773	Pralhadrai Brij Lal 139, Medows St., Bombay	Ind.	1956-57	2,01,044
1774	Sh. Raghunath B. Apte Govind Galli, M.J.C. Market, Bombay	Ind.	1961-62	1,24,876
1775	Sh. Ratilal Nagindas, 118, Kansare Chawal, Bombay	Ind.	1959-60	1,38,070
1776	Smt. S. K. Kabbar, 3-Bastion Rd., Bombay	Ind.	1960-61	3,45,793
1777	Sir Sarupchand Hukumchand 12/26 Bhuleshwar, Bombay	H.U.F.	1946-47 1949-50	65,02,399 8,27,517
1778	Sh. Sushilkumar R. Ruia, State Bank Building Bank Street, Bombay	H.U.F.	1957-58	2,27,130
<i>Delhi</i>				
1779	Shri C. K. Daphlary, 3 Hasting Road, New Delhi	Ind.	1957-58	2,61,886
1780	Sh. Chhail Behari Lal, Manager, Ganesh Flour Mills, Najafgarh Road, Delhi	Ind.	1954-55 1951-62	1,15,303 1,46,038

	I	2	3	4	5
1781	Late Sh. H. N. Saniyal, Solicitor General of India, New Delhi	Ind.	1960-61	1,69,637	
1782	Sh. J. R. I. Lee C/o Burmah Shell Oil Co. Ltd. Connaught Circus, New Delhi	Ind.	1960-61 1961-62	1,25,552 1,14,591	
1783	Sh. Kirpa Narayan, General Manager, M/s. Ganesh Flour Mills, Najafgarh Road, New Delhi	Ind.	1957-58	1,16,070	
1784	Sh. Krishan Bans Bahadur C/o 5, Rajnaraian Road, Delhi	Ind.	1960-61	1,35,609	
1785	Sh. R. S. Tirath Ram Ahuja, 16, Fire Brigade Lane, New Delhi	Ind.	1957-58	2,28,671	
1786	M/s. Ram Mohan & Family, Katra Neel, Chandni Chowk, Delhi	H.U.F.	1958-59	1,03,331	
1787	Sh. Sucha Singh Anand C/o Fire Stone Tyres Rubber Co., Nicholson Road, Delhi	Ind.	1960-61	1,35,168	
<i>Delhi (Central) Rajasthan</i>					
1788	Bhai Surjit Singh, 4/23B, Asaf Ali Road, New Delhi	Ind.	1957-58	1,14,748	
1789	Shri Dan Singh Bist, P.O. Bist Estate, Nainital	Ind.	1957-58	1,58,352	
1790	Shri Ch. Gopal Singh, Yamunagar	Ind.	1961-62	1,05,692	
1791	H. H. Shri Himat Singh Ji (Minor) Ex-Ruler of Dholpur	Ind.	1958-59	3,88,092	
1792	Shri Jai Kishan Bhalla, Y. Nagar	Ind.	1961-62	2,10,320	
1793	Sh. Jawhar Lal Bhalla, Y. Nagar	Ind.	1957-58	1,65,729	
1794	R. B. Jodhamal Kuthiala (Deceased), Simla	Ind.	1957-58	6,01,588	
1795	Khel Shankar Durlabhji, Jaipur	Ind.	1960-61	1,24,756	
1796	Smt. Lila Wati Bhalla, Y. Nagar	Ind.	1959-60	1,07,120	
1797	Sh. M. K. Jaisingh of Bhagwatgarh	Ind.	1961-62	1,35,961	
1798	Sh. M. K. Priti Raj of Mangarh	Ind.	1961-62	1,00,003	
1799	Sh. Mohan Singh Bist, Bist Estate, Nainital	H.U.F.	1957-58	1,70,449	
1800	Late Shri Prem Nath C/o Legal Representative Shri Rajinder Nath, 8, Scindia House, New Delhi	Ind.	1957-58	1,22,415	
1801	Ch. Prithvi Singh, Yamunagar	Ind.	1961-62	1,00,781	
1802	Ragunath Pershad, C/o M/s. E. S. Perey Lal, Kashmere Gate, Delhi	Ind.	1959-60	1,02,212	
1803	Rashmi Kant Jain, Jaipur	Ind.	1960-61	1,09,775	
1804	Sardar Chand 24 F, Hauz Khas Enclave, New Delhi	Ind.	1957-58	1,16,936	
1805	R. B. Sardar Singh of Khetri	Ind.	1961-62	1,38,375	
1806	H. H. Sawai Mansingh of Jaipur	Ind.	1957-58	2,80,420	
			1958-59	3,96,031	
1807	Shashi Kumar Mohatta, M. I. Rd., Jaipur	Ind.	1959-60	1,72,969	
1808	Shanti Chand Jain, Sardarpura, Jodhpur	Ind.	1956-57	3,22,266	
1809	M/s. Shri Dhar & Sons 22, Curzon Road, New Delhi	H.U.F.	1959-60	1,11,465	
1810	Sir Shri Ram C/o M/s. D.C.M., Bara Hindu Rd., Delhi	Ind.	1957-58	1,21,616	
1811	M/s. Swaruplal Kanhayalal, Jaipur	H.U.F.	1957-58	1,76,175	
1812	Tiwari Govind Narain, Bani Park, Jaipur	Ind.	1957-58	1,45,549	
1813	Tiwari Jhumar Lal Govind Narain, Jaipur	Ind.	1957-58	1,45,549	
1814	Yodhraj Bhalla, 72, Janpath, New Delhi	Ind.	1957-58	1,08,482	
<i>Kerala</i>					
1815	Sh. A. Paul Perincherry, Trichur	Ind.	1952-53 1957-58	1,18,240 1,07,233	
1816	Sh. Ignatius Payyappilli, Trichur	Ind.	1961-62	1,10,931	
1817	Sh. J. B. Soutar, Kannan Devan Hill Produce, Co., Ltd., Munnar	Ind.	1958-59	1,12,778	

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*Madhya Pradesh*

1818 Shri Sham Lal Agarwal, New Road, Ratlam Ind.

1957-58

1,15,443

*Madras*

1819	Shri Amrit Lal Kamdar, Madras	Ind.	1959-60	1,45,370
1820	Shri B.R. Panthulu, Madras	Ind.	1958-59	1,21,914
1821	Shri Chunnalal Kamdar, Madras	Ind.	1959-60	1,32,599
1822	Shri K.S. Narayana Iyer, Madras	Ind.	1951-52	1,43,005
			1956-57	1,71,421
			1957-58	1,63,113
1823	Shri M.K. Kuppu Raj C/o M/s. M.K. Krishna Chetty, Jail Road, Coimbatore	Ind.	1961-62	1,04,767
1824	Shri Mohammed Chooria, Madras	Ind.	1960-61	1,21,138
1825	Shri Rasikalal Kamdar, Madras	Ind.	1959-60	1,36,200
1826	Shri T.S. Srinivasan, Madras	Ind.	1960-61	1,07,836

*Madras Central*

1827	Shri A. Mudalanda Mudaliar, Sholinghur	Ind.	1960-61	3,19,794
1828	Shri A. Venkatarama Setty, Bangalore	Ind.	1960-61	2,55,589
1829	Shri A.K. Basu Sahib, V.M. Motor Service Chetpet	Ind.	1959-60	2,00,534
1830	Sh. B. Rajagopal Naidu, Gudiyatham	Ind.	1961-62	1,79,981
1831	Sh. B. Saroja Devi, Madras	Ind.	1959-60	1,16,006
			1960-61	1,11,773
1832	Sh. C.J. Pinto, Mangalore	Ind.	1961-62	1,08,000
1833	Sh. D. Arasappa, Bangalore	H.U.F.	1957-58	2,39,766
1834	Sh. E.X.D. Pinto, Mangalore	Ind.	1961-62	1,06,158
1835	Sh. J.K.K. Angappa Chettiar, Kumarapatayan	H.U.F.	1961-62	1,91,248
1836	Sh. K.A. Thangavelu, Madras	Ind.	1960-61	1,57,608
1837	M/s. Laxmi Achi & Umayal Ramanathan as L/R of Late Dr. R.M. Alagappa Chettiar, Madras—7.	Ind.	1943-44	1,13,418
			1944-45	9,48,487
			1945-46	2,38,739
			1946-47	5,02,147
1838	Sh. M. Kasturienga Setty, Bangalore	Ind.	1960-61	2,56,987
1839	Sh. M. Srinivasa Naik, Mangalore	Ind.	1960-61	1,10,448
1840	Sh. M.K. Naik, Mangalore	Ind.	1960-61	1,07,923
1841	Sh. M.K. Panduranga Setty, Bangalore	Ind.	1960-61	2,14,290
1842	Sh. M.K. Ramachandra Setty, Bangalore	Ind.	1960-61	1,29,959
1843	Sh. Mir. Mohd. Ali, Vellore	Ind.	1959-60	1,02,717
1844	Sh. Nandalal Kapur, Bangalore	Ind.	1957-58	1,25,548
			1958-59	1,34,427
1845	Sh. P. Pulliah, Madras	Ind.	1961-62	1,26,762
1846	Smt. P. Raja Sulochana, Madras	Ind.	1959-60	1,27,246
			1960-61	1,13,922
1847	Sh. P.K. Sarangapani Mudaliar, Bangalore	Ind.	1958-59	1,77,820
1848	Shri R. Paramanathan, Gudiyatham	Ind.	1961-62	1,12,167
1849	Shri R. Sundaram Iyer, Bangalore	H.U.F.	1957-58	1,74,710
			1958-59	1,66,235
			1959-60	1,78,740
			1960-61	1,55,812
1850	Shri R.R. Srinivasamurthy, Devangere	H.U.F.	1960-61	1,63,756
1851	Shri Rama Setty, Devengere	Ind.	1957-58	1,49,828
			1960-61	1,80,985
1852	Shri Raoji Bhai M. Patel, Bangalore	Ind.	1960-61	1,10,239
1853	Shri Relangi Venkatramiah, Madras	Ind.	1961-62	1,10,673
1854	Shri S. Channiah, Mysore	Ind.	1960-61	2,72,000
1855	Shri S. Khader Sheriff, Bus Owner, Arcot	Ind.	1961-62	1,15,202
1856	Shri S.H. Kelkar, Bombay	Ind.	1961-62	1,74,853
			C.G.	5,37,256

1	2	3	4	5
1857	Shri S. V. Kudva, Mangalore.	Ind.	1960-61	1,22,008
1858	Shri S. V. Natesa Mudaliar, Kancheepuram.	Ind.	1961-62	1,25,620
1859	Shri V. Mari Chettiar, 498, Mint St., Madras.	H.U.F.	1961-62	1,92,911
			1960-61	1,67,428

*Mysore*

1860	Shri Fred Webbs, C/o M/s. Webbs Sales & Service, Bangalore-1.	Ind.	1961-62	1,64,325
1861	Shri J. H. Gotla, Yadgiri	Ind.	1960-61	1,93,707
1862	Shri K. G. Parameswari, Managing Director, AMCO Batteries Ltd. Bangalore.	Ind.	1961-62	1,18,668
1863	Shri S. M. Ramakrishna Rao, 399, Avenue Road, Bangalore.	Ind.	1960-61	1,27,242
1864	Shri S. V. Rangaswamy, Rangaswamy and Co. N. R. Road, Bangalore-2.	Ind.	1961-62	1,34,651
1865	Shri Y. V. S. Murthy, Proprietor Geetha & Shree Talkies, Bangalore-9.	Ind.	1958-59	1,43,764
			1960-61	1,56,992

*Punjab*

1866	Shri Avtar Singh C/o M/s. Darbara Singh & Sons, Amritsar.	Ind.	1961-62	1,88,374
1867	Shri Balbir Singh Legal heir of Shri Surjan Singh of M/s. Surjan Singh Balbir Singh, Majith Mandi, Amritsar.	Ind.	1957-58	1,10,067
1868	M/s. Duni Chand Devi Dass, Katra Ahluwalia, Amritsar.	H.U.F.	1957-58	2,49,242
1869	Shri Hardyal Singh, C/o M/s. Hira Singh Hardyal Singh, Krishna Market, Amritsar.	H.U.F.	1957-58	1,48,668
1870	Shri Jit Pal C/o M/s. Amin Chand Payare Lal, Tanda Rd., Jullunder City	Ind.	1957-58	3,35,783
			1957-58	3,38,916
			1958-59	3,41,916
			1958-59	2,10,179
			1959-60	2,12,417
			1960-61	2,23,877
1871	Dr. Karan Singh, Sadar-i-Riyasat Srinagar.	Ind.	1957-58	2,05,837
1872	M/s. Karori Mal Lakshmi Narain, Jind.	H.U.F.	1961-62	1,98,115
1873	Shri Kripal Singh C/o M/s. Darbara Singh & Sons, Amritsar.	Ind.	1961-62	1,05,336
1874	Shri Madan Chand Kapoor C/o M/s. G. M. Worsted Spg. Mills, Chheharta.	Ind.	1961-62	2,35,936
1875	Raja Mohinder Pal of Kutlehar.	H. U. F.	1961-62	1,11,566
1876	Seth Rochal Dass Gidoo Mal, Amritsar.	Ind.	1957-58	1,07,105
1877	Shri Roop Lal C/o M/s. Harcharan Dass Chunilal, Katra Hari Singh, Amritsar.	H. U. F.	1952-53	3,37,700
1878	Shri Satya Pal C/o M/s. Amin Chand Payare Lal, Tanda Rd., Jullunder City.	H. U. F.	1953-54	3,41,300
			1956-57	3,86,123
			1957-58	3,89,773
			1958-59	4,22,189
1879	Shri Surindra Paul C/o Do.	H. U. F.	1956-57	3,12,500
			1957-58	3,32,532
1880	Shri Swraj Paul C/o Do.	H. U. F.	1958-59	3,29,873
			1956-57	3,27,500
			1957-58	3,35,724
			1958-59	3,30,853

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1881	Shri N.W. Gurjai Kirloskarwadi.	Ind.	1961-62	1,59,444
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## Uttar Pradesh

1882	Shri Abdul Hamid C/o M/s. Haji Lal Mohd. Birla Works Trust, Allahabad	Ind.	1960-61	1,30,278
1883	Shri Abdul Shakoor C/o M/s. Haji Lal Mohd. Birla Works Trust, Allahabad	Ind.	1960-61	1,27,309
1884	Shri Atma Prakash Gupta, Kanpur	Ind.	1961-62	1,17,223
1885	Shri B. D. Maheswari, Shakherpatti, Kanpur	Ind.	1960-61	1,29,259
1886	Shri G. N. Mehrotra, Gillis Bazar, Kanpur	Ind.	1961-62	1,01,740
1887	Shri Jagdish Swarup, Hamilton Road, Allahabad	Ind.	1961-62	1,16,600
1888	Shri Jai Prakash, 11 Anand Chowk, Dehradun	Ind.	1961-62	1,27,439
1889	Shri Jai Ram Singh Oberoi, 10 Municipal Road, Dehradun	Ind.	1962-62	1,18,905
1890	Shri Jugal Kishore, 11 Anand Chowk, Dehradun	Ind.	1961-62	1,27,421
1891	Shri K. L. Misra, Park Road, Allahabad	Ind.	1961-62	1,00,056
1892	Shri M. Misal, Gandhi Road, Dehradun	Ind.	1961-62	1,70,168
1893	Shri. M.A. Barkat C/o M/s. Indian National Tannery (P) Ltd., Kanpur	Ind.	1957-58	1,24,049
1894	Shri M.L. Bhargava, Chunni Ganj, Kanpur	Ind.	1961-62	1,43,710
1895	Shri Madan Lal Ahuja, South Road, Allahabad	Ind.	1961-62	1,02,204
1896	Bah. Shri Madan Lal Haveliwala, Rupaidiha, District Bahraich	H.U.F.	1960-61	1,14,271
1897	H. H. Maharaja Manbendra Shah of Tehri Garwal	Ind.	1960-61	1,25,021
			1961-62	1,50,085
1898	Bh. R. S. Pathak, Thorm Hill Road, Allahabad	Ind.	1961-62	1,08,418
1899	Shri Raja Mohd. Amri Ahmed Khan, Mahudabad, District Sitapur	Ind.	1961-62	1,41,995
1900	Shri S. N. Nulla, Stanly Road, Allahabad	Ind.	1961-62	1,01,389
1901	M/s. Sheo Parshad Darshan Lal, 19 Tilak Road, Dehradun	H.U.F.	1960-61	4,90,118

## West Bengal I

1902	Shri Ajit Kumar Dutta, 67 South End Avenue, Calcutta	Ind.	1961-62	1,05,504
1903	Shri Ashoka Roy, 3 Upper Wood St., Calcutta	Ind.	1961-62	1,66,206
1904	Shri B. P. Khaitan, 1-B Old Post Office St., Calcutta	Ind.	1961-62	1,27,874
1905	Bhakta Kr. Ghosh, 11 Government Place, Calcutta	Ind.	1957-58	3,60,224
1906	Mr. C. A. Groves, 29 Netaji Subhas Road, Calcutta	Ind.	1961-62	1,40,501
1907	E. D. O. Bernier, C/o Love Lock and Lewis, 4, Lyons Range, Calcutta	Ind.	1958-59	1,92,500
1908	Mr. E. R. Meyers, 67, Park St., Calcutta	Ind.	1961-62	1,97,316
1909	Shri G. P. Khaitan, 26 C. R. Ave, Calcutta	Ind.	1957-58	1,02,373
1910	Mr. G. S. Gregory, Tower House, Chowinghee Square, Calcutta	Ind.	1961-62	1,20,419
1911	Mr. H. J. Silverstone, 29, Netaji Subhas Road, Calcutta	Ind.	1961-62	2,21,934
1912	H. W. Burrington C/o Remfry and Sons, 40/44, Stephen House, Calcutta	Ind.	1960-61	1,20,080
1913	Mr. J. C. Hui, 46/7C, Ballygunge Place, Calcutta	Ind.	1957-58	1,26,401

1	2	3	4	5
1914	K. Khaitan, 1-B, Old Post Office St., Calcutta	Ind.	1961-62	1,04,168
1915	Shri K. L. Goenka, 93, Southern Avenue, Calcutta	Ind.	1957-58	1,91,787
1916	Official Trust West Bengal, on behalf of trust of Maharajadhiraja Sir Kameswar Singh Bahadur of Dharbhanga for the benefit of Maharani Rameshwariata Saheka (Anuity income) 1, Hastings Street Calcutta	Ind.	1961-62	1,44,000
1917	Official Trust West Bengal, on behalf of trust of Maharajadhiraja Sir Kameswar Singh Bahadur of Dharbhanga for the benefit of Maharani Rameshwariata Saheka (Residue income) 1, Hastings St. Calcutta	Ind.	1961-62	3,32,244
1918	Kissenlal Poddar, 25, Netaji Subhas Road, Calcutta	Ind.	1957-58	1,86,231
1919	Mrs. Leena Mukerjee, 6, Lower Circular Road, Calcutta	Ind.	1961-62	1,56,399
1920	Monica Malhotra C/o S. K. Burman, "Babur House", Calcutta-29	Ind.	1961-62	1,72,292
1921	Shri N. C. Chatterjee, P-514, Raja Basanta Roy Road, Calcutta	Ind.	1961-62	1,22,458
1922	Shri N. K. Gossain, 7, Grant Lane, Calcutta	Ind.	1957-58	1,09,760
1923	Mr. P. K. Mukherjee, 29, Netaji Subhas Road, Calcutta	Ind.	1961-62	1,46,477
1924	Shri R. N. Mukherjee, 12, Mission Row, Extn. Calcutta	Ind.	1951-52 1952-53 1953-54 1954-55 1955-56 1956-57	1,68,612 1,35,410 1,64,257 1,70,549 1,64,082 1,83,480
1925	Sardar Rabi Inder Singh, 7, Wellesly St. Calcutta	Ind.	1960-61	1,04,336
1926	Rajendra Singh & Sanghi & others, 15, Gariahat Road, Calcutta	HUF	1957-58 1959-60	1,28,356 1,22,229
1927	Maharani Rajluxmi Kumari Devi, 5 & 7, Netaji Subhas Road, Calcutta	Ind.	1961-62	1,14,198
1928	S. Bhagat, 11, Rowdon St. C. Calcutta	Ind.	1961-62	1,01,433
1929	Mr. S. A. Besil Tower House, Chowringhee Square, Calcutta	Ind.	1958-59	1,05,826
1930	Shri S. B. Bose, 29, Netaji, Subhas Road, Calcutta	Ind.	1961-62	1,28,071
1931	M/s. S. D. Ghosh & Sons, Bhatpara District, 24 Parganas	HUF	1943-44	1,38,902
1932	S. G. Mohatta, 19, British India St., Calcutta	Ind.	1957-58	5,99,807
1933	Shri S. M. Bose, 22/1, Ballygunge Circular Road, Calcutta	Ind.	1961-62	2,95,558
1934	Shri Sachindra Nath Chowdhury, 10 Old Post Office St., Calcutta	Ind.	1961-62	3,62,488
1935	Samratram Jiwanram C/o S. D. Bagchi, 2/6 Radhaprasad Lane, Calcutta	Ind.	1961-62	1,10,759
1936	Shri Shankardas Banerjee, 51/1, Syed Amir Ali Avenue, Calcutta	Ind.	1961-62	1,31,418
1937	Mr. T. C. Hornby, 29, Netaji Subhas Road, Calcutta	Ind.	1961-62	2,23,439
1938	Mr. W. F. Deepening, 12, Government Place, East Calcutta	Ind.	1957-58	1,32,066

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*West Bengal II*

1939	Mrs. Bela Banerjee, C/o Lloyds Bank Ltd., 41, Chowringhee, Calcutta	Ind.	*not given	1,12,700
*Assessee left India for good.				
1940	J. R. Jacob, 1 & 2, Old Court House, Corner Calcutta	Ind.	1961-62	2,47,251
1941	Estate M. John (Deed) 2, Chowringhee Place, Calcutta	Ind.	1959-60	1,04,377
1942	Mannalal Dwarkadas, Prop. Sohanlal Satogi, 76, Burtalla St., Calcutta	Ind.	1948-49	1,37,158
1943	R. K. Agarwala, 25-A. Park Street, Calcutta	Ind.	1958-59 1959-60	1,00,823 1,03,016
1944	P. K. Dasgupta, 96, Diamond Harbour Road, Calcutta	Ind.	1961-62	1,51,498
1945	R. K. Poddar, 36, Chowringhee Road, Calcutta	Ind.	1957-58	1,11,894
1946	Shri R. P. Jam, 115, Southern Avenue, Calcutta	Ind.	1960-61	1,06,824
1947	Radha Krishna Dalmia, 7, Lyons Range, Calcutta	Ind.	1957-58	5,57,643
1948	Ramesh Kr. Bhargava, 6, Chowringhee Road, Calcutta	Ind.	1961-62	1,24,799
1949	Shantilal C. Mehta as administrator to the Estate of Late Shamsher Jung Bahadur Rana of Nepal, 23, Sir Hari Ram Goenka St., Calcutta	Ind.	1957-58	3,96,644
1950	Smt. Vidyawati Bhargava, 6, Chowringhee Road, Calcutta	Ind.	1961-62	1,16,751

*I. Calcutta Central*

1951	Shri Subhkaran Sonthalia 7, Lyons Range, Calcutta	Ind.	1958-59	1,02,669
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*II. Names of all Firms, Association of Persons and Companies assessed on an income of over Rs. 10 lakhs in the financial year 1961-62*

Sl. No.	Name and address of the assessee	Status	Assessment Year		Income assessed.
			1	2	
<i>Bombay City- I</i>					
370	W. H. Brady & Co. Ltd., 12/14, Veer Nariman Road, Bombay-I.	Co	1961-62		30,96,045
<i>Bombay City-II</i>					
371	A. S. K. Gothenburg, by Agents S. K. F. Ball Bearing Co. Pvt. Ltd., M. G. Memorial Building, Charni Road, Bombay	N.R. Co	1961-62		22,49,550
(N.R. Co. It resulted in refund)					
372	M/s. French Dyes & Chemicals India Pvt. Ltd., 3 Queens Road, Bombay	Co.	1959-60		10,44,627
373	M/s. Sando Products Ltd., 3, Witet Road, Ballard Estate, Bombay-I.	Co.	1958-59 1959-60		15,48,150 20,89,820

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*Bombay City-III*

374	Jaybharat Insurance Co. Ltd., State Bank Building, Hornii Street, Bombay	Co.	1951-52	21,23,207
375	Jupiter General Insurance Co. P. Ltd., State Bank Building, Bank Street, Bombay	Co.	1951-52	12,01,661
376	New India Assurance Co. Ltd., 70-80 M.G. Road, Bombay	Co.	1957-58	63,70,558
377	Oriental Fire & General Insurance Co. Ltd., Oriental Building, M.G. Road, Bombay	Co.	1952-51	19,23,509

*Bombay Central*

378	Amrit Lal & Co. Pvt. Ltd., 11, Sprott, Road, Ballard Estate, Bombay	Co.	1957-58	17,17,169
379	Baldota Bros., Baldota Bhuvan, 117, Queens Road, Bombay	R.F.	1953-54	10,39,598

*Delhi Central & Rajasthan*

380	Dalmia, Cement Ltd., Co. 4, Scindia House, New Delhi	Co.	1959-60	1,79,823 India 26,92,193 Pakistan
381	Ganesh Flour Mills Co. Ltd., 64-65, Najafgarh Road, New Delhi	Co.	1957-58	10,21,298 India 70,17,770 Pakistan
382	L.I.C. Unit Bharat Insurance Co., Ltd.,	Co.	1960-61	23,64,042 India 2,727 Pakistan
383	Orissa Cement Ltd., 4, Scindia House, New Delhi	Co.	1957-58	27,43,584

*Madras Central*

784	M/s. Devangere Cotton Mills Ltd., Devangere	Co.	1957-58	12,50,334
385	M/s. India Sugar & Refineries Ltd., Hospet	Co.	1957-58	10,74,068
386	M/s. Krishna Flour Mills, Bangalore	R.F.	1959-60	10,13,943

*Mysore*

387	Indian Telephone Industries Ltd., Bangalore-16	Co.	1957-58	13,60,153
388	Kirloskar Electric Co. Ltd., Rajajinagar, Bangalore	Co.	1960-61	19,02,820
389	Motor Industries Co. Ltd., Audugodi	Co.	1960-61	74,84,893
390	Mysore Electrical Industries Ltd., Bangalore	Co.	1961-62	10,76,521
391	Mysore Paper Mills Ltd., Bangalore-2	Co.	1961-62	14,81,997
392	Mysore Sugar Co. Ltd., J. C. Road, Bangalore	Co.	1959-60 1960-61	24,10,371 26,21,319
393	Radio & Electrical Mfg. Co. Ltd., Bangalore	Co.	1957-58	11,28,688
394	United Breweries Ltd., Bangalore	Co.	1960-61 1961-62	18,19,816 24,60,451

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*Punjab*

395	M/s. Amin Chand Payare Lal, Road, Jullundur	Tanda	R.F.	1951-52 1952-53 1953-54 1954-55 1955-56 1956-57 1957-58 1958-59	12,50,000 12,50,000 12,50,000 12,50,000 12,50,000 12,50,000 12,50,000 12,50,000
396	M/s. Dyer Meakin Solan	Breweries Ltd.,	Co.	1951-52	1,03,82,707
397	M/s. Oswal Cotton Spinning and Weaving Mills Ltd., Ludhiana		Co.	1951-52	11,24,380

*Uttar Pradesh*

398	British India Corporation Ltd., Kanpur	Co.	1957-58	13,28,679
399	Elgin Mills Co. Ltd., Kanpur	Co.	1960-61 1961-62	71,43,038 52,20,386

*West Bengal I*

400	Angus Co. Ltd., 3, Clive Road, Calcutta	Co.	1961-62	19,24,734
401	Assam Bengal Cement Co. Ltd., 7, Wellesly St., Calcutta	Co.	1957-58	13,45,435
402	Auckland Jute Co. Ltd., Chartered Bank Building, Calcutta	Co.	1960-61	27,63,805
403	Britannia Eng. Co. Ltd., Titagarh, 24, Parganas	Co.	1960-61	11,18,536
404	Brooke Bond & Co. Ltd., (Lon) 2, Metcalf St., Calcutta	Co.	1960-61	32,62,500
405	Brooke Bond India P. Ltd., 2, Metcalf St. Calcutta	Co.	1961-62	1,21,39,294
406	Calcutta Electric Supply Corporation, Victoria House, Calcutta	Co.	1960-61 1961-62	2,44,22,763 2,77,84,526
407	Calcutta Tramways Co. Ltd., P-4, Mission Road Extn., Calcutta	Co.	1961-62	14,47,173
408	Dhakeswari Cotton Mills Ltd., 42, Chowringhee Road, Calcutta	Co.	1957-58 1958-59 1959-60	39,79,827 22,73,668 20,27,090
409	French Motor Car Co. Ltd., 234/3, Lower Circular Road, Calcutta	Co.	1959-60	16,08,521
410	G.L.C. London Ltd., Calcutta	Co.	1956-57	24,83,608
411	Howrah Mills Co. Ltd., Ramkrishnapore, Howrah	Co.	1961-62	10,95,690
412	Jharkand Mines & Industries Ltd., 5/1, Russel St., Calcutta	Co.	1950-51	13,65,582
413	Khardah & Co. Ltd., 7, Wellesly Place, Calcutta	Co.	1950-61	22,67,824
414	Kinnison Jute Mills Co. Ltd., Titagarh 24, Partanas	Co.	1960-61	14,20,570
415	N. V. Philips Gloein Lampen Fabrieken, Calcutta	Co.	1961-62	27,91,534
416	Pacific Minerals P. Ltd., 11, Sudder St., Calcutta	Co.	1958-59	17,16,537
417	Radha Krishna Cotton Mills Ltd., Calcutta	Co.	1957-58	19,05,691
418	Rallis India Ltd., 16, Flare St. Cal- cutta	Co.	1957-58	18,95,626

419	Smith Stanistreet & Co. Ltd., 18, Convent Road, Calcutta	Co.	1961-62	1,01,99,353
420	Tea Estates (India) Ltd., 2, Metcalf St., Calcutta	Co.	1957-58 1958-59 1959-60	17,51,107 10,57,938 12,36,393
421	Victory Jute Products Ltd., 15/B, G. R. Road	Co.	1957-58	11,38,352

## West Bengal II

422	Bisra Stone Lime Co. Ltd., Chartered Bank Building, Calcutta	Co.	1961-62	16,45,749
423	Punjab Produce Trading Co. Ltd., 15, India Exchange Place, Calcutta	Co.	1957-58	12,86,931

## Calcutta Central

424	M/s. Radhakishan Sonthalia, 65-A, Pathuria Ghata Street, Calcutta	R.F.	1958-59	28,11,859
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[No. 28-1/3/65-I.T.]  
[No. F. 1/3/65-I.T.(B)]

## CORRIGENDA

## INCOME-TAX

New Delhi, the 10th March 1966

S.O. 777.—The Central Government directs that in the Tables headed "I. Individuals and Hindu undivided families who have been assessed on an income of more than a lakh of rupees during the financial year 1961-62" and "II. Firms, association of persons and Companies who have been assessed on an income of more than ten lakhs of rupees during the financial year 1961-62" in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. S.O. 1551 dated the 30th April, 1965, the following corrections shall be made:—

- Individuals and Hindu undivided families who have been assessed on an income of more than a lakh of rupees during the financial year 1961-62.
  - No. 22—In Col. 4 for "1060-61", read "1960-61".
  - No. 106—In Col. 2, for "Bhabba", read "Bhabha".
  - No. 107—In Col. 4 and 5, for "1961-62 2,08,666" read "1958-59—1,90,024, 1959-60—2,30,153, 1960-61—2,39,562, 1961-62—2,08,666".
  - No. 113—In Col. 2—(a) for "A. Chimandal" read "Chimandal" (b) for "Mangaldar" read "Mangaldas".
  - No. 119—In Col. 4 and 5, for "1961-62—6,24,46" read "1960-61—8,15,438, 1961-62—6,24,463".
  - No. 211—In Col. 2, for "Ranc", read "Rane".
  - No. 214—In Col. 2, for "Aitkan", read "Aitken".
  - No. 232—In Col. 4 and 5, for "1959-60—1,05,028" read "1955-56—1,19,745, 1959-60—1,05,028".
  - No. 250—In Col. 2, for "Bombay-B", read "Bombay-8".
  - No. 264—In Col. 5, for "1,32,38", read "1,32,388".
  - No. 266—In Col. 2, for "Luner", read "Liner".
  - No. 305—In Col. 2, for "Holinalleed", read "Hollinshead".
  - No. 354—In Col. 4 and 5, omit "1960-61—4,57,989".
  - No. 358—In Col. 2, after "Thakore", omit "(2)".
  - No. 400—In Col. 2, for "A Shri", read "Shri".

S. No. 410—In Col. 2, for "M" read "Mr".  
 S. No. 427—In Col. 5, for "3,30,584" read "4,30,584".  
 S. No. 457—In Col. 2 (a) for "Manghra", read "Manghraj". (b) for "Man  
gbraj," read "Manghraj".  
 S. No. 461—In Col. 2, for "Lalchand", read "Lilachand".  
 S. No. 465—In Col. 2, for "Romal", read "Pomal".  
 S. No. 467—In Col. 2, for "Pro. Magandas", read "Prop. M/s. Magandas".  
 S. No. 472—In Col. 2, for "Mancharlal", read "Moncharlal".  
 S. No. 488—In Col. 2, for "Sangani", read "Sanghani".  
 S. No. 511—In Col. 2, for "c/o. Parsi Bazar St.", read 'C/o. Star Chemicals'.  
 S. No. 520—In Col. 2, for "Monocklal", read "Manecklal".  
 S. No. 535—In Col. 2, for "Sumudra", read "Samudra".  
 S. No. 541—In Col. 2, for "Lallwani", read "Lalwani".  
 S. No. 546—In Col. 2, for "Nimbar", read "Nimbkar".  
 S. No. 557—In Col. 2, for "Lazmi", read "Laxmi".  
 S. No. 558—In Col. 2, for "Pt. Ltd", read "Pvt. Ltd".  
 S. No. 571—In Col. 2, for "Cunilal", read "Chimanjal".  
 S. No. 575—In Col. 5, for "1,08,148", read 1,08,848".  
 S. No. 586—In Col. 2, for "Andheri", read "Andheri Bombay".  
 S. No. 617—In Col. 2, for "Banabhai", read "Nanabhai".  
 S. No. 628—In Col. 2, omit "Indle".  
 S. No. 637—In Col. 2, for "Kula Rd.", read "Kurla Rd.".  
 S. No. 668—In Col. 2 for "Backe", read "Racke".  
 S. No. 678—In Col. 2, for "Varsey", read "Narsey".  
 S. No. 700—In Col. 2, for "Varsey", read "Narsey".  
 S. No. 711—In Col. 4 and 5, for "1957-58—5,08,835" read "1957-58—3,08,835,  
1960-61—1,20,184".  
 S. No. 722—In Col. 2, for "15 Apollo St.", read "18 Apollo St.".  
 S. No. 723—In Col. 2, for "A.R.R. Rulia", read "R. R. Rulia".  
 S. No. 748—In Col. 2, for "Ajathari", read "Ajaihari".  
 S. No. 759—In Col. 2, omit "19 Prithvi Raj Rd.".  
 S. No. 768—In Col. 5, for "1,45,36", read "1,45,362".  
 S. No. 780—In Col. 5, for "1,83,641", read "1,83,646".  
 S. No. 795—In Col. 2, for "Anaudlal", read "Anand Lal".  
 S. No. 798—In Col. 5, for "1,43,528", read "135699".  
 S. No. 800—In Col. 2, for "Palitana", read "Palitang".  
 S. No. 839—In Col. 2, for "Jaibhai" read "Jalbhai".  
 S. No. 848—(a) In Col. 2, for "Paankore" read "Pankore" (b, In Col. 5,  
for "1,91,000" read "1,94,000".  
 S. No. 856—In Col. 2, for "Baroda Rd.", read "Naroda Rd.".  
 S. No. 857—In Col. 2, for "Kubderas", read "Kuberdas".  
 S. No. 859—In Col. 2, for "Ravandas", read "Revandas".  
 S. No. 867—In Col. 2, for "Hava", read "Hawa".  
 S. No. 902—In Col. 2, for "Bheri", read "Sheri".  
 S. No. 965—In Col. 5, for "149072", read "149073".  
 S. No. 969—In Col. 2, for "Dec", read "Deo".  
 S. No. 984—In Col. 2, for "Late", read "Latif".  
 S. No. 989—In Col. 2, for "Smti", read "Smt.".  
 S. No. 993—In Col. 2, for "Shirraj", read "Shivraj".  
 S. No. 1003—In Col. 2, for "Dhantoll", read "Dhentolli".  
 S. No. 1013—In Col. 2, for "Shirraj", read "Shivraj".  
 S. No. 1014—In Col. 2, for "Shirraj", read "Shivraj".  
 S. No. 1023—In Col. 2, for "Shirraj", read "Shivraj".

S. No. 1024—In Col. 2, for "Shirraj", read "Shivraj".  
S. No. 1066—In Col. 5, for "1,46,508", read "314129".  
S. No. 1086—In Col. 2, for "Kandasamy", read "Krishnaswamy".  
S. No. 1110—In Col. 2, for "Dindigu", read "Dindigul".  
S. No. 1255—In Col. 2, for "Narawanlal", read "Nayanlal".  
S. No. 1344—In Col. 2, for "Kailashpati", read "Kailashpat".  
S. No. 1391—In Col. 2, for "Brocke", read "Brooke".  
S. No. 1402—In Col. 2, for "Brocke", read "Brooke".  
S. No. 1412—In Col. 2, for "Dalhousie Sqn.", read "Dhalhousie Sqr."  
S. No. 1413—In Col. 5, for "1,31,48", read "1,31,482".  
S. No. 1415—In Col. 2, for "Maedal", read "Maldal".  
S. No. 1435—In Col. 2, for "Dr. Umapati", read "Dr. Umapati".  
S. No. 1443—In Col. 5, for "1,16,81" read "1,16,812".  
S. No. 1444—In Col. 4, for "1947-58", read "1957-58".  
S. No. 1568—In Col. 2, for "N.P. Patil", read "N.P. Patil Gondia".

II. Firms, associations of persons and Companies who have been assessed on an income of more than ten lakhs of rupees during the financial year 1961-62.

S. No. 98—In Col. 2, for "Balal Street", read "Dalal Street".  
S. No. 107—In Col. 4 and 5, for "1958-59—12,96,228, 1959-60—20,53,407, 1960-61—29,55,376" read "1957-58—10,60,311, 1958-59—12,96,228, 1959-60—20,53,407, 1960-61—29,55,376".  
S. No. 117—In Col. 4 and 5, for "1961-62—16,68,128", read "1958-59—31,92,930, 1961-62—16,68,128".  
S. No. 205—In Col. 4, for "1961-62", read "1960-61".  
S. No. 285—In Col. 5, for "13,13,910", read "14,13,910".

[No. 29—F. No. 1/3/65-I.T.(B).]

WASIQ ALI KHAN, Dy. Secy.

#### (Department of Revenue and Insurance)

#### CUSTOMS

New Delhi, the 19th March 1966

S.O. 778.—In exercise of the powers conferred by sub-section (1) of section 4 of the Customs Act, 1962 (52 of 1962), the Central Government hereby rescinds notification No. S.O. 2705 (140-Customs) of the Government of India in the Ministry of Finance (Department of Revenue), dated the 31st August, 1965, published at page 825 of the Gazette of India Extraordinary, Part II—Section 3—sub-section (ii), dated the 31st August, 1965.

This notification shall be deemed to have come into force on the 12th October, 1965.

[No. 47/F. No. 22/8/65-Cus.IV.]

D. N. LAL, Dy. Secy.

#### CENTRAL EXCISE COLLECTORATE, KANPUR

Kanpur, the 14th February 1966

S.O. 779.—In pursuance of Rules 42 and 223 read with Rule 233 of the Central Excise Rules, 1944, I direct that every wholesale dealer in duty paid tobacco including a manufacturer of tobacco product shall

(1) Where he stocks tobacco assessed at the higher and the lower rate of duty keep separate accounts of tobacco assessed at different rates of duty either in separate books or in separate sections of the same book in form E.B.3.

(2) Stocks the tobacco in an orderly manner so as to permit an easy count and verification of goods with the covering documents and E.B.3 accounts, consignments of tobacco received under different transport documents being so stored that these can be identified and distinguished from each other.

(3) Where he delivers tobacco under sale-note or T.P.I. or sells it retail he will endorse on the back of the original transport permit or sale-note, the quantity of tobacco so issued on T.P.I. or sale note or per retail sale in the subjoined form.

Date of Issue	T. P. I. or sale-note No. or retail	No. of packages	Net weight of tobacco issued	Balance
I	2	3	4	5

(4) Where he intends to mix lower-rated and higher-rated consignments of tobacco, he shall keep separate account of each such mixed consignment separately in form E.B.3, by allotting different pages indicating the number and date of the relevant transport document, the weight of tobacco pertaining to each such document and the total weight of the processed tobacco or mixture of tobacco on the receipt side. The quantities taken for such processing or mixing will be debited to the respective accounts maintained in respect of higher-rated tobacco and the balance adjusted in these accounts accordingly, keeping necessary cross references in the remarks column. Similar remarks will also be made on the T.P.I.s or sale-notes covering the parent consignments.

(5) Where he manufactures tobacco products viz., hookah tobacco, snuff etc. he will enter on the fly leaf of the E.B.3 Books, the formula for the manufacture of such products, showing the proportion of tobacco to other ingredients used for the manufacture of such products, and in case of biris, the types and brands of biris manufactured and the weight of tobacco used per thousand biris of each type or the number of biris of each type obtained from a  $\frac{1}{2}$  Kg. of tobacco. The total quantity of tobacco, product manufactured or the number of Biris made will be shown in the remarks column of the E.B.3 account against the entry for the issue of the tobacco used in such manufacture.

(6) Physically check his stocks of duty-paid tobacco each half year in June and December and adjust the book-balance to conform to the actual balance by showing the difference as loss or gain, as the case may be, in the remarks column of the E.B.3 account, with brief reasons for the same.

(7) Where the tobacco cleared in the whole leaf form from warehouse is intended to be processed in the duty-paid premises, the wholesale dealer will make suitable entries in the remarks column of his E.B.3 register showing the variety, number and net weight of packages of tobacco taken for processing. On completion of processing, he will show in the remarks column the different varieties with their net weight and number of packages obtained after processing together with the loss or gain in processing and will adjust the balance in his E.B.3 register accordingly. Similar remarks, before and after processing, will also be made on the reverse of the T.P.I. or sale-note covering the consignments processed and

(8) In either case where the licensee intends to mix lower-rated and higher-rated consignments of tobacco or to process tobacco received in the duty paid premises in the whole leaf form, he will give prior intimation of his intention to the Inspector or Dy. Superintendent in-charge of his jurisdiction. This requirement is being prescribed in the licensee's own interest as processed tobacco having changed its form cannot be correlated to the original consignments for which the

licensee has the transport documents and may, therefore, in the absence of prior intimation or knowledge be taken to be tobacco unauthorisedly brought in the absence of any proof of processing or mixing.

[No. 1/66.]

VIPIN MANEKLAL, Collector.

**MINISTRY OF MINES AND METALS**

*New Delhi, the 24th February 1966*

**S.O. 780.**—Whereas by the Notification of the Government of India in the late Ministry of Mines and Fuel S.O. No. 3294, dated the 18th November, 1963 under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in 7995.75 acres (approximately) or 3238.28 hectares (approximately) of lands in the locality specified in the Schedule appended to that notification;

And whereas by the notification of the Government of India in the late Ministry of Steel and Mines (Department of Mines and Metals) S.O. 3667, dated the 18th November, 1965 under sub-section (1) of Section 7 of the said Act, notice was issued specifying a further period of one year commencing from the 18th November, 1965 as the period within which the Central Government may give notice of its intention to acquire the lands or of any rights in or over such lands;

And whereas the Central Government is satisfied that out of the said land, coal is obtainable in 1675.00 acres (approximately) or 678.38 hectares (approximately) of the lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the rights to mine quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 1675.00 acres (approximately) or 678.38 hectares (approximately) described in the schedule appended hereto.

The plans of the area covered by this notification may be inspected in the Office of the Collector, Sidhi (Madhya Pradesh), or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the National Coal Development Corporation Limited (Revenue Section), Darbhanga House, Ranchi, (Bihar).

Any person interested in the aforesaid land may, within thirty days of the issue of this notification file objection to the acquisition of any rights in or over such land to the Coal Controller 1, Council House Street, Calcutta-1.

SCHEDULE  
Singrauli Block-'J'

Drg. No. Rev/47/65  
Dated 26-10-1965

(Singrauli coalfield)

(Showing lands where rights to mine, quarry, bore, dig, search for win work and carry away minerals are to be acquired)

**'Mining Rights'**

Ser- ial Num- ber	Village	Village Number	Tahsil	District	Area	Remarks
1	Dharauli Kala	116	Singrauli	Sidhi		Part
2	Dharauli Khurd	117	"	"		"
3	Murbhani	205	"	"		"
4	Sarsabah Rajatola	224	"	"		"
5	Nigai	288	"	"		"
6	Matouli	446	"	"		"

Total area:—1675.00 acres (approximately)  
OR 678.38 Hectares (approximately)

*Plot number to be acquired in village Dharauli Kala :*

1 (P).

*Plot numbers to be acquired in village Murbhami :*

1, 2, 3(P), 4(P), 5(P), 6(P), 7(P), 8(P), 9(P), 10(P), 11(P), 12(P), 13, 14, 15(P), 36(P) and 59(P).

*Plot number to be acquired in village Dharauli Khurd:—1(P).*

*Plot number to be acquired in village Sarsabah Rajatola :—4(P).*

*Plot numbers to be acquired in village Nigai :*

49(P), 67(P), 68(P), 77(P), 78(P), 80(P), 82(P), 83(P), 84 to 90, 91(P), 92, 93, 94, 95(P), 109(P), 111(P), 112(P), 113(P), 114(P), 115(P), 116(P), 117(P), 132(P), 133(P), 134 to 149, 150(P), 151(P), 152(P), 153, 154, 155(P), 189(P), 190, 95/162(P), 95/163 (P), 95/165(P), 95/166 95/167(P), 95/168(P), 109/172(P), 116/185(P) and 116/188.

*Plot numbers to be acquired in village Matouli :*

534(P), 535(P), 536(P), 537, 538, 539, 541(P), 569(P), 570(P), 571 to 574, 575(P), 581(P) 582(P), 583(P), 584(P), 585(P), 586 to 589, 590(P), 591, 592, 593(P), 594(P) and 595(P).

#### BOUNDARY DESCRIPTION :

A-B line passes through plot numbers 95/162, 95/163, 77, 78, 91, 80, 82, 83, 115, 68, 67, 116, 116/185, 116, 189, 116, 117, 133, 132, 150, 151, 152, 49 in village Nigai and meets at point 'B'.

B-C line passed through plot number 49 in village Nigai, through plot number 1 in village Dharauli Khurd, through plot number 1 in village Dharauli Kala, through plot numbers 36, 3, 4, 5, 6, 11, 12, 15, 59, 15 in village Murbhami and meets at point 'C'.

C-D line passed through plot number 15 in village Murbhami, through plot number 4 in village Sarsabah Rajatola, through plot numbers 590, 593, 594, 595, 536, 535, 534 in village Matouli and meets at point 'D'.

D-E line passes along the part common boundary of villages Matouli and Dudhichuwa and meets at point 'E'.

E-A line passes along the southern boundary of plot numbers 533, 540 through plot numbers 541, 570, 569, 575, 581 in village Matouli, through plot numbers 111, 109/172, 109, 111, 95/168, 95/167, 95, 95/165, 95/162 in village Nigai and meets at starting point 'A'.

**NOTE:—** Excepting the area bounded by lines F-G-H-1-J-K-L-M-F which pass through plot numbers 111, 112, 115, 114, 113, 155 of village Nigai, 5, 8, 7, 10, 9 of village Murbhami, 584, 585, 584, 583, 582 of village Matouli and 111 of village Nigai and meet at starting point 'F' (which is notified U/S 17(2) of Mines and Minerals (Regulation and Development) Act, 1957 vide S.O. 3746 dated 3-12-1962.

[No. C2-25(4)/63]

RAM SAHAY,

Under Secretary.

#### MINISTRY OF PETROLEUM AND CHEMICALS

Baroda the 5th October 1965

**S.O. 781.—**Whereas, by the notifications of the Government of India, as shown in the schedule appended hereto, issued under Sub-section (i) of Section 6 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act 1962, the right of user has been acquired in the lands specified in the schedules appended thereto for the transport of Petroleum between the Gujarat Refinery, Baroda in Gujarat State to Ahmedabad in Gujarat State.

And whereas, the Oil and Natural Gas Commission has terminated the operations referred to in the clause (i) of Sub-Section (i) of Section 7 of the said Act on 25th September, 1965.

Now, therefore, under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in Land) Rules 1963, the competent Authority hereby notifies the said date as the date of termination of the operations referred to above. Any person interested in the said lands, may file a claim for compensation for damage or loss sustained by that person by reason of the exercise of the powers conferred by section 7, within sixty days, from the said date of termination of operations before the Competent Authority at Elempcoo, Sayaji Gunj, Opp. College, Lokmanya Tilak Road, Baroda, in the Office of the Gujarat Pipelines Project, Oil & Natural Gas Commission. The claim for compensation shall be made in the prescribed form.

## SCHEDULE

Name of Ministry.	S.O. No.	Date of publication in the Gazette of India
1	2	3
Petroleum & Chemicals	3024	5-9-64
"	3352	12-9-64
"	162	9-1-65
"	565	13-2-65
"	566	13-2-65
"	567	13-2-65
"	568	13-2-65
"	569	13-2-65
"	1021	3-4-65
"	1022	3-4-65
"	1023	3-4-65
"	1672	29-5-65

[No. GPL/L/IV/32]

T.D. SOYANTAR,

Competent Authority under the Act for Gujarat

New Delhi, the 1st March 1966

S.O. 782.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Haldia Port in Calcutta in West Bengal State, pipelines should be laid by the Indian Oil Corporation Limited and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto,

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declare its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority, 9, Syed Amir Ali Avenue, Calcutta-17 in the office of the Indian Oil Corporation Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

## SCHEDULE

## ADDENDUM

State—West Bengal

Distt.—Howrah

Thana—Uluberia

Village	Survey Nos. (Plot Nos.)	Extent (Area)
Bar Ramnagar JL. No. 97	1271	.08
	1307	.10
	1308	.10
	1319	.18
	1320	.01
	1322	.05

I

2

3

Bar Ramnagar, J.L. No. 97—contd.

I323	.03
I324	.05
I330	.03
I331	.06
I332	.10
I333	.12
I334	.005
I338	.12
I339	.03
I381	.03
I382	.05
I491	.04
I753	.10

Surikhali J.L. No. 98

432	.06
433	.005

[No. 31(33)/63-ONG/OR Vol. 24.]

New Delhi, the 2nd March 1966

**S.O. 783.**—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from drill sites to collecting station within the Ankleshwar oil field in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of said user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Liaison Officer, Competent Authority at Elampeeco, 4th floor, Sayaji Ganj, Opp. College, Lokmanya Tilak Road, Baroda in the office of the Gujarat Pipeline Project (Oil & Natural Gas Commission). Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

## SCHEDULE.

State—Gujarat

District—Broach

Taluka—Ankleshwar

Village

Survey No.

Guntha

Hajat	59	1.6
	65	{ 1.0 2.7
		2.0
	64	1.3
	75	1.1
	76	2.0
Sarthan	116	6.7
	118/1 to 5	{ 5.1 2.2
	119	1.7
	120	{ 8.1 0.9

I	2	3
125	3.8	
124	8.1	
122	9.6	
56	1.0	
57	8.1	
57P	2.4	
58	7.0	
63/1	3.6	
63/3	1.2	
64/4	5.4	
65/1	4.0	
65/3	2.0	
74/1	7.2	
62/3	5.4	
62/1	2.0	
65/3	14.6	
122	3.2	
Telwa		
29	4.6	
31/1 & 2	1.0	
18	5.6	
19	5.4	
20	6.2	
29	2.2	

[No. 31(67)/63-ONG/OR-Vol. 2.]

**S.O. 784.**—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Haldia Port in Calcutta in West Bengal State, pipelines should be laid by the Indian Oil Corporation Limited and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority, 9, Syed Amir Ali Avenue, Calcutta-17 in the office of the Indian Oil Corporation Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

## SCHEDULE

## Addendum

State—West Bengal	Distt.—Howrah	Thana—Sankrail
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Village	Survey Nos.	Extent (Area) (Plot Nos.)
Panchpara J.L. No. 37	779	50
	1023	.22
	1025	.26
	1035	10
	1040	.08
	1041	.12
	1075	.17
	1076	.01
	1077	.22
	1079	.04
	1080	.05
	1081	.04
	1082	.05

[No. 31(33)/63-ONG/OR-Vol. 26.]

New Delhi, the 3rd March 1966

**S.O. 785.**—Whereas it appears to the Central Government that it is necessary in the public interest for the transport of petroleum between Barauni Refinery in Bihar State and Haldia Port in Calcutta in West Bengal State, pipelines should be laid by the Indian Oil Corporation Limited and that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent authority, 9, Syed Amir Ali Avenue, Calcutta-17 in the office of the Indian Oil Corporation Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—West Bengal	Distt.—Howrah	Thana—Domjur	Survey Nos.	Extent (Area) (Plot Nos.)
			Village	
Prasastha J.L. No. 29			792	.12
			794	.02
			796	.005
			801	.005
			802	.01
			803	.12
			804	.15
			821	.10
			822	.05
			823	.02
			831	.06
			839	.04
			1217	.005
			636	.04
			703	.20
			757	.32
			805	.01
			820	.05
			840	.05
			841	.06
			842	.04
			845	.05
			846	.04
			847	.08
Ankurhati J.L. No. 30			3277	.14
			3188	.06
			3276	.10
			3486	.14

[No. 31(33)/63-ONG/OR-Vol. 27.]

New Delhi, the 4th March 1966

**S.O. 786.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 2027 dated 8th June 1965 under sub-section (i) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas, the Competent Authority has, under sub-section (i) of Section 6 of the said Act, submitted report to the Government;

And, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by Sub-section (4) of that Section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of publication of this declaration in the Indian Oil Corporation Ltd., free from all encumbrances.

#### SCHEDULE

State—Bihar	District—Shahabad	Thana—Dumravn.	Survey No. (Plot No.)	Extent in acre
Village with thana No				
Raghunathpur No. 258			749	0.02
			750	0.095
			835	0.05
			836	0.015

[No. 31(47)/63-ONG/OR Vol-30/5AR.]

V. P. AGARWAL, Under Secy.

#### MINISTRY OF EDUCATION

##### Archaeology

New Delhi, the 8th March 1966

**S.O. 787.**—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

## ‘THE SCHEDULE’

Sl. No.	State	District	Taluk	Locality	Name of monument	Revenue plot number to be included un- der protection	Area	Boundaries	Owner- ship	Remarks
1	2	3	4	5	6	7	8	9	10	II
1	Madras	Chingle- put	Kanchee- puram	Kanchee- puram	Piravatanesvara Tem- ple together with the whole of land in Town Survey No. M. 1281 Ward No. IV, Block No. 17.	Whole of Town Survey num- ber 2281 Ward No. IV, Block No. 17.	0.49 acre	North: Town Survey No. 1280 East: Town Survey No. 1297 South: Town Survey Nos. 1287, 1288, 1289, 1290, 1293, 1294, 1295 and 1296. West: Town Survey Nos. 1282 and 1283	Private	This temple is in reli- gious use.

[No. F. 4-1/66.C.1.]  
SHARDA RAO, (Mrs.),  
Assistant Educational Adviser.

## DELHI DEVELOPMENT AUTHORITY

## PUBLIC NOTICE

New Delhi, the 4th March 1966

**S.O. 788.**—Notice under Section 10(1) of Delhi Development Act, 1957 (No. 61 of 1957) read with rules 5 and 15 of the Delhi Development (Master Plan and Zonal Development Plan) Rules, 1959.

Notice is hereby given that—

(a) a draft of the zonal development plan for each of the following zones, namely—

- (i) B-6 (Patel Nagar area);
- (ii) G-10 (Madipur),
- G-17 (Jawala Heri).
- (iii) H-4 (Shakur Basti),
- H-5 (Pitam Pur),
- H-6 (Shalimar Garden),

has been prepared; and

(b) a copy thereof will be available for inspection at the following offices between the hours of 11 a.m. and 3 p.m. on all working days except Saturdays, till the date mentioned in paragraph 3 hereinafter:—

- (1) Office of the Delhi Development Authority, Delhi Vikas Bhawan, Indraprastha Estate, 'D'-Block, New Delhi;
- (2) Office of the New Delhi Municipal Committee, Town Hall, New Delhi;
- (3) Office of the Delhi Municipal Corporation, Town Hall, Delhi-6; and
- (4) Office of the Executive Officer, Delhi Cantonment Board, Delhi Cantt.

2. Objections and suggestions are hereby invited with respect to these draft zonal development plans.

3. Objections or suggestions may be sent in writing to the Secretary, Delhi Development Authority, Delhi Vikas Bhawan, Indraprastha Estate, 'D'-Block, New Delhi by the 18th April, 1966.

Any person making an objection or suggestion should also give his name and address.

[No. F. 4(3)/66-W.D.]

R. K. VAISH, Secy.

## MINISTRY OF INFORMATION AND BROADCASTING

## ORDERS

New Delhi, the 5th March 1966

**S.O. 789.**—In pursuance of the Directions issued under the provisions of the enactments specified in the First Schedule annexed hereto the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in all its language versions to be of the description specified against it in column 6 of the said Second Schedule.

## THE FIRST SCHEDULE

- (1) Sub-Section (4) of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XI of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

## THE SECOND SCHEDULE

Sl. No.	Title of the film	Length 35mm	Name of the Applicant	Name of the Producer	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or documentary film
1	2	3	4	5	6
1	MAHARASHTRA NEWS No. 165 (Hindi & Marathi)	299 M	Director of Publicity, Govt. of Maharashtra, Bombay.	Film dealing with news and current events (For release in Maharashtra Circuit only)	

[No. F.24/1/66-FPApp.1075.]

**S.O. 790.**—In pursuance of the directions issued under the provisions of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Films Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in Gujarati to be of the description specified against it in column 6 of the said Second Schedule.

## THE FIRST SCHEDULE

- (1) Sub-Section 4 of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

## THE SECOND SCHEDULE

Sl. No.	Title of the film.	Length 35 mm	Name of the Applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	2	3	4	5	6
1	MAHITICHITRA No. 64	276 M	Director of Information, Govt. of Gujarat, Ahmedabad.	Film dealing with news and current events (For release in Gujarat Circuit only).	

[No. F.24/1/66-FPApp.1076.]

B. GHOSE, Under Secy.

## MINISTRY OF LABOUR, EMPLOYMENT &amp; REHABILITATION

(Dept. of Labour &amp; Employment)

New Delhi, the 3rd March, 1966

**S.O.791.**—In pursuance of section 73-B of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the notification of the

Government of India in the Ministry of Labour and Employment No. HJ-I(106)/56 dated the 26th June, 1959, namely:—

In the Table annexed to the said notification for the existing entries relating to Madras in columns 1, 2 and 3 the following entries shall respectively be substituted, namely:—

Name of State	Authority empowered to hear disputes under Chapter VA of the Employees' State Insurance Act, 1948.	Jurisdiction.
I	2	3
Madras	<p>1. Additional Commissioner for workmen's compensation Madras.</p> <p>2. Additional Commissioner for workmen's compensation Coimbatore.</p>	<p>The District of Chingleput, excluding the revenue villages of:—</p> <p>(1) Tiruvottiyur, Villivakkam, Korattur, Saligramam, Virugambakkam, Valasapakkam, Ambattur Pallavaram, Pammal (Chromepet) Adambakkam, Nandamabakkam, St. Thomas Mount, Velacheri, Padi, Kakapallam, Kathirvedu, Polal, Vellakkupattu, Erukkanneri, Kodungaiyur and Thiruvanmiyur in Saidapet Taluk;</p> <p>(2) Vandalur Revenue village of Chingleput Taluk.</p> <p>(3) Ettore Revenue village of Ponneri Taluk and Paruthipattu, Thandarai, Vilanjambakkam, Chorancheri, Palegipattu, Veeraraghavapuram and Kaduvetti Revenue villages of Siperumbudur Taluk.</p> <p>I. The Nilgiris District.</p> <p>II. Coimbatore District, excluding</p> <p>(1) the area within the Municipal Units of Coimbatore and the Revenue Villages of Telungapalayam Sanganur, Ganapathy, Uppilpalayam Sowripalayam, Singanallur, Kurichi, Perinaickenpalayam, Narasimhaickenpalayam, Thudialur, Vellakinar, Cudatur, Vilankurichi, Kurudampalayam, Kalappatti, Saravanampatti, Chinnavedampatti, Krishnarajapuram, Kuniamuthur, Idigari, Madukkarai, Kaundampalayam, Anupparpalayam, Pulikkulam, Kumarpalayam, Ramanathapuram, Vedapatti, Othakkalmandapam and Perur cettipalayam in Coimbatore Taluk.</p> <p>(2) Irugur, Oddarpalayam, Sulur, Kannampalayam and Velampalayam of Palladam Taluk.</p> <p>(3) Bodipatti, Kanakkampalayam, Perikottai, Pulankinar and Udumalpet in Udumalpet Taluk.</p> <p>(4) Tirupur, Thortipalayam and Chettipalayam in Tirupur Town in Palladam Taluk.</p> <p>(5) Erode, Surampatti, Periasemur, Bramana Peria Agharam and Punjab Lakkapuram in Erode Taluk.</p> <p>(6) Pollachi, Sangampalayam, Sholapalayam Pulampatti, Sinnapalayam, Makkinampatti, Kittasurampalayam and Kottampatti in Pollachi Taluk.</p>

(7) Rakkiapalayam, Chikkadasampalayam, Odanthurai and Sirumugai in Avanashi Taluk.

III. Salem District excluding the Revenue villages of (1) Bodinaikenpatti, Ammanai, Ayyamperuma parti, Suramangalam, Ja-geer Redipatti, Jagceer Annmapalayam, Pallapatti, Periyeri, Annadanapatti, Salem Town and Shevapet in Salem Taluk.

(2) Kumarapalayam in Rasipuram Taluk.

(3) Samballi (mettur Taraf) in Omalur Taluk.

IV. North Arcot District, excluding the Revenue villages of (1) Karai, Manthangal and Thandalam in Wallajapet Taluk.

(2) Peddakallupally, Vaniyambadi, Govindapuram, Kalandra, Amburpettai and Devasthanam in Vaniyambadi Sub-taluk.

(3) North Vellore, South Vellore, Allapuram, Thorapadi Shenpakkam and Minnur in Vellore Taluk.

(4) Cheruvanki, Cudiyatham, Pichanur, Kandasamudram, Chedukkarai, Nellore-pet, Udayendram, Darapadavalu, Kalinjur, Kangayanallur and Virudampet in Gudi-yatham Taluk.

3. Additional Commissioner of Workmen's compensation Madurai.

I. South Arcot District.

II. Madurai District, excluding the Revenue villages of (1) North Madurai, East Ma-durai, Villapuram, West Madurai, Ma-dakulam, Kochadai, Vilangudi, Arapala-yam Kokkulapal, Ponneri, Tanakakulam, Pudukulam Bit II, Villacheri and Tirupparankundram of Madurai Taluk.

(2) The local area comprised within the limits of Revenue Villages in Dindigul Town and the Revenue villages of Adi-nuthu, Chettinaickengpatti, Alamrathupatti, Pillayarangatham.

(3) Pallapatti and Kurumbapatti in Dindigul Taluk.

III. Tirunelveli District, excluding the even-ue villages of (1) Tuticorin, Sankaraperi, Meelavittan and Mullakadu in Srivalkundam Taluk.

(2) Vikramasingapuram, Aladiyur and Mela Ambasamudram in Ambasamudram Ta-luk.

(3) Tirunelveli, Palayamkottai, Sindu-poondurai, Chettiram, Pudukulam, Naranammalpuram, Thirummarayapuram, Thatchanallur, Narasinganallur Petta and Mela Veeraraghavapuram in Tiru-nelveli Taluk; and

(4) The area within the limits of the Revenue village of Shencottah in Shencottah Taluk.

IV. Ramanathapuram District, excluding the area comprised within the limits of the Revenue villages of (1) Sivakasi Town in Ramanathapuram district,

(2) Kilathiruthangal, Thiruthangal, Sivakasi Viswanatham (Inam) and Viswanatham (Inam) in Sattur Taluk.

- (3) The area comprised within the limits of the revenue villages in Rajapalayam Town in the Ramanathapuram District,
- (4) Kothankulam, Samasigapuram, Pudupalayam, Inam Thoppupatti, Chittianpatti, Inam Kadambankulam, Sholapuram and Therkuvenganallur in Srivilluputhur Taluk,
- (5) Kottaipatti, Allampatti and Koorkundu in Virudhunagar Sub Taluk,
- (6) The area comprised within the limits of Revenue village of Soolaikarai in Aruppukottai Taluk,

V. Tiruchirapalli District, excluding

- (1) The local area within the limits of Palaniganatham Revenue village in Udayarapalayam Taluk.

- (2) The local area comprised within the limits of the revenue villages in Tiruchirapalli town, the revenue villages of Abishekapuram, Inam Sengulam, Inam Tennur, Dhamalavarupayam Edamalai-patti, Pudur, Kottapettu, Inam Jambukeswaram, Vellithirumutham, Kalligudi, Ariyamangalam, Tennur, Inam Periavavdavur and Tharanellur in Tiruchirapalli Taluk.

- (3) The local area comprised within the limits of Revenue village of Thudaiyur in Kolathur Taluk.

- (4) The local area comprised within the Municipal limits of Pudukottai in Tiruchirapalli District; and

- (5) The local area comprised within the limits of the Revenue village of Thekkathur in Thirumayam Taluk.

VI. Thanjavur District excluding Revenue village of Nagapattinam in Nagapattinam Taluk; and Patham, Inam Melacauvery, Palavattankattalai, Innambur, Ullur, Baburajapuram, Survamanayakottayur and Moopakoil in Kumbakonam Taluk.

VII. Kanyakumari District excluding Revenue villages of Vadiveeswaram, Vadaserry and Nagercoil in Agastheeswaram Taluk.

[No. F. 1(2)/66-HI]

New Delhi, the 5th March 1966

**S.O. 792.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factory in an implemented area, exempts the Borstal School, Palayamkottai, belonging to the Jail Department of the Government of Madras, from the payment of the employers' special contribution leviable under chapter VA of the said Act for a further period upto and including the 9th February, 1967.

[No. F. 6(21)/65-HI.]

**S.O. 793.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts, having regard to the location of the factory in an implemented area, the Municipal Mechanical and Transport Workshop, Agra, from the payment of the employers'

special contribution leviable under chapter VA of the said Act for a further period of one year commencing on the 1st March, 1966.

[No. F. 6/12/65-HI.]

**S.O. 794.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories mentioned in the Schedule below in sparse areas in the State of Madras, hereby exempts them from the payment of the employers' special contribution leviable under Chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in those areas.

SCHEDULE

Sl. No.	Name of District	Name of the area.	Name of the factory
1.	Coimbatore	Pongalur	Pongalur Waste Spinners.
2.	Chingleput	Karthikeyapuram	Shree Saraswathi Mills Ltd.
3.	Kanyakumari	Thuckalay	Kanyakumari District Co-operative Printing Works.
4.	Madurai	Theni	K.T.K. Ginning Factory.
5.	Ramnad	Srivilliputhur Achundan Vayal Devakottai	Tamilnad Sarvodaya Sangh, Charkha Works. Ayyappan Textiles Ltd., Achuntha Vayal. Kanaga Metal Industries.
6.	Salem	Krishnagiri Namagiripet Hosur Samandhaballi R. Pudupatti	Government Cycle Assembly Unit, Katugonapalli. Balasubramania Sago Factory. Government Silk Reeling Unit. All Steel Industries Corporation Ltd. (1) Sri Venkatesa Sago Factory. (2) Murugan Sago Factory, Bangalakadu. Model Carpentry Workshop.
7.	Tirunelvelli	Pattamadai	

[No. F. 6/23/65-HI.]

New Delhi, the 8th March 1966

**S.O. 795.**—In exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories in an implemented area, hereby exempts the Yeravada Prison Press, Poona and the Government Photozinco Press, Poona, from the payment of the employers' special contribution leviable under chapter V-A of the said Act for a period of one year upto and including the 29th September, 1966.

[No. F. 6(86)/64-HI.]

**S.O. 796.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in supersession of all orders made in this behalf, the Central Government, having regard to the location of the factory in an implemented area, hereby exempts the College of Ceramic Technology, 71, Sura, First Line, Belliaghata, Calcutta-10, from the payment of the employers' special contribution leviable under Chapter VA of the said Act.

[No. F. 6(86)/63-HI.]

**S.O. 797.**—Whereas the Central Government is satisfied that the employees of the Government Telegraph Stores, Bombay, belonging to the Government of India, Department of Posts and Telegraphs, are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the abovementioned Stores from all the provisions of the said Act for a further period of one year upto and including the 14th January, 1967.

[No. F. 6/78/64-HI.]

**S.O. 798.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and having regard to the location of the factories mentioned in the Schedule below in sparse areas in the State of Punjab, the Central Government exempts them from the payment of the employers' special contribution leviable under chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in those areas.

#### SCHEDULE

Sl. No.	Name of District	Name of area	Name of the factory
1.	Amritsar	Kot Mit Singh	(1) M/s. Sachdev Dying & Printing Works. (2) M/s. Hindustan Golden Industries.
2.	Bhatinda	Taran Taran	M/s. Khosla Engg. & Genl. Industries.
3.	Gurdaspur	Kot Kapura	M/s. Hindustan Electro Machines Co.
		Dinanagar	(1) M/s. Dina Nagar Adarsh Conduit Pipe Mfrs. (2) M/s. Dina Nagar Rubber Production Co. Society.
4.	Jullundur	Chuharwali	M/s. Schgal Sanitary Fittings, Hoshiarpur Road.
5.	Karnal	Karnal	(1) M/s. Punjab Roadways. (2) M/s. National Tractors & Implements.
6.	Pathankot	Kurukshetra	M/s. Manha Mal Puranchand, Pipli Road.
7.	Rohtak	Pathankot	M/s. O. P. Oberio & Co., College Road.
		Jethri	M/s. Hindustan Dwidt Tools.

[No. F.6(22)/65-HI.]

**S.O. 799.**—Whereas the State Government of Mysore has, in pursuance of clause (d) of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948, nominated Dr. H. Shama Sastry, Director of Health Services, Government of Mysore, Bangalore, to be a member of the Medical Benefit Council in place of Dr. C. Gopalaraj Chetty;

Now, therefore, in pursuance of sub-section (1) of section 10 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the Notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2501, dated the 30th July, 1962, namely:—

In the said Notification, under the heading "Nominated by the State Governments concerned under clause (d) of sub-section (1) of section 10]", for the entry against item (12), the following entry shall be substituted, namely:—

"Dr. H. Shama Sastry, Director of Health Services, Government of Mysore, Bangalore".

[No. 3/1/66-HI.]

**S.O. 800.**—Whereas the Central Government is satisfied that the employees of the Telegraph Workshops, Alipore, Calcutta, the Telephone Workshops, Bombay, the Telegraph Workshops, Jabalpore and the Senior Electrical Engineer's Test Rooms, Calcutta, belonging to the Government of India, in the Department of Communications, Posts and Telegraphs Board, are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the said Act and in continuation of the Notification of the Government of India in the Department of Social Security No. 6(66)62-HI, dated the 4th January, 1965, the Central Government hereby exempts each of the abovementioned factories from all the provisions of the said Act for a further period of one year upto and including the 31st January, 1967.

[No. F. 6(06)/62-HI.]

New Delhi, the 9th March 1966

**S.O. 801.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factories mentioned in the Schedule below in sparse areas in the State of Maharashtra hereby exempts them from the payment of the employers' special contribution leviable under Chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in those areas.

## SCHEDULE

Sl. No.	Name of the district	Name of the area	Name of the factory
1	Ahmadnagar	Kapurwadi	M/s. Ahmadnagar Stone Crushing Co.
2	Aurangabad	Jalna	M/s. Govt. Pilot Milk Supply Scheme.
3	Dhulia	Shahada	M/s. Rajesh Oil Mill.
4	Kolhapur	Jaisingpur	M/s. Miniature Electricals.
5	Nasik	Malegaon	M/s. Bharat Sizing Works.
		Niphand	M/s. Swani Trading Co.
6	Ratnagiri	Ratnagiri	M/s. Kisan Seva Mandal.
		Malvan	M/s. Goyt. Fish Canning Plant.

[No. F. 6/(3)/66-HI.]

**S.O. 802.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and having regard to the location of the factory in an implemented area, the Central Government hereby exempts Vaccine Institute, Belgaum, belonging to the Government of Mysore, from the payment of the employers' special contribution leviable under Chapter VA of the said Act.

[No. F. 6(5)/66-HI.]

**S.O. 803.**—Whereas the Central Government was satisfied that M/s. Jagdish Saw Mills was situated in Gondia area which was a sparse area (that is, an area whose insurable population was less than 500) in the district of Bhandara in the State of Maharashtra;

And whereas by virtue of its location in a sparse area, the aforesaid factory was granted exemption from the payment of the employers' special contribution under section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948) until enforcement of the provisions of Chapter V of the Act in that area by the Central Government by the notification of the Government of India in the Ministry of Labour and Employment No. 6(114)/63-HI, dated the 30th August, 1963;

And whereas the Central Government is now satisfied that the insurable population of the Gondia area in the district of Bhandara in the State of Maharashtra has now exceeded 500, and it is no longer a sparse area;

Now, therefore, in exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Employment No. 6(114)/63-HI, dated the 30th August, 1963, namely:—

In the schedule to the said notification, against serial No. 1, 'Bhandara' the entries "Gondia" and "M/s. Jagdish Saw Mills" occurring in columns 3 and 4 respectively shall be omitted.

[No. F. 6/80/65-HI.]

**S.O. 804.**—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the Government Opium and Alkaloid Works, Ghazipur from all the provisions of the said Act, except Chapter VA for a further period upto and including the 9th April, 1966 subject to the following conditions:—

- (i) The casual workers shall be brought on to regular establishment within the period aforesaid.

(ii) The number of seasonal workers shall be reduced as far as possible and shall not in any case exceed their present number of one hundred at a time.

[No. F. 8/44/65-HI.]

New Delhi, the 14th March 1966

**S.O. 805.**—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 20th day of March, 1966 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force), and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas of the State of Maharashtra, namely:—

The area within the municipal limits of Nanded, comprising of the revenue villages of Kasba Nanded, Mouja Assadullabad and Mouja Vazirabad, and the survey Nos. 8, 9, 44/1, 46, 47/1, 50, 52, 60/1, 60/2, 60/3, and 60/4 of Mouja Bramhpuri in the Taluka and District of Nanded.

[No. F. 13(2)/66-HI.]

DALJIT SINGH, Under Secy.

**(Department of Labour and Employment)**

New Delhi, the 5th March, 1966

**S.O. 806.**—In pursuance of the proviso to regulation 17 of the Metalliferous Mines Regulations, 1961, the Central Government hereby makes the following further amendments to the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2795 dated the 23rd September, 1963, namely:—

"In the Table appended to the said notification, under the heading "INDIA" and the sub-heading "(List of Institutions and authorities awarding Degree/Diploma in Mining, after full time course of study)" after entry 12 the following sub-heading and entries shall be inserted, namely:—

"(List of institutions and authorities awarding Diploma/Certificate in Mining after a part time course of study).

1. State Board of Technical Education Bihar.	Diploma in Mining and Mine Surveying (Re-organised Mining Classes, Bhaga, Dhanbad).
2. Mining Education Advisory Board, West Bengal.	Final Merit Certificate (Evening Mining Classes run by the Directorate of Mines and Minerals, Government of West Bengal)"

[No. 17/2/66-MI (Am.(3).)]

B. K. SAKSENA, Under Secy.

**(Department of Labour and Employment)**

New Delhi, the 5th March 1966

**S.O. 807.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Shri Jeejeebhoy, Arbitrator, in the industrial dispute between the employers in relation to the Associated Cement Companies Ltd., and their workmen which was received by the Central Government on the 3rd March, 1966.

## ARBITRATION AWARD

In the matter of Associated Cement Companies Limited, Nowrozabad

AND

Their workmen represented by the Nowrozabad Colliery Mazdoor Sangh.

Pursuant to an agreement between the parties dated 19th June, 1964 referring the matters contained therein to the arbitration of Mr. F. Jeejeebhoy, Last President, Labour Appellate Tribunal of India, residing at 'Firuz-Ara', Churchgate Reclamation, Bombay.

## PRESENT:

Mr. F. Jeejeebhoy, Barrister-at-Law, Arbitrator.

For the employers.—Mr. I. M. Nanavati, Advocate, Mr. G. L. Govil, and Mr. M. S. Kapoor.

For the workmen.—Mr. K. B. Chougule, General Secretary, Nowrozabad Colliery Mazdoor Sangh, Nowrozabad.

## AWARD

Whereas by an agreement between the Associated Cement Companies Limited, Nowrozabad on the one hand and their workmen represented by the Nowrozabad Colliery Mazdoor Sangh on the other, certain disputes pending between them, which had been referred by the Central Government to the adjudication of the Central Government Industrial Tribunal at Bombay, were withdrawn and referred to the arbitration of Mr. F. Jeejeebhoy, Last President, Labour Appellate Tribunal of India, residing at 'Firuz-Ara', Churchgate Reclamation, Bombay-1;

And whereas the parties had agreed that the decision of the said arbitrator shall be binding on them;

And whereas the said agreement which was made under section 10A of the Industrial Disputes Act 1947 has been duly published by the Government of India in the Gazette of India of 11th July 1964 being S.O. No. 2441 at pages 2892 and 2893 with the annexures thereto;

And whereas the hearing of the said arbitration has been completed;

Now therefore, I, the said Mr. F. Jeejeebhoy, Barrister-at-Law, as such Arbitrator do hereby make the following award in terms of the reference. Each page of the award has been signed by me and all corrections initialled.

Signed at Bombay, this 28th day of February 1966.

(Sd.) F. JEEJEEBHOY,  
Arbitrator.

**Issue No. 1(a).**—Is the demand for payment of overtime wages for the work performed by Shri Abhairaj Singh, Oil Issuer from 1st January 1956 to December 1959 justified? If so, to what relief he is entitled?

This issue has not been pressed.

**Issue No. 1(b).**—Whether Shri Sitaram, Labour Supervisor, had to perform additional work for at least 4 hours per day from 1st January, 1957 to 20th August, 1960 and if so, whether he is entitled to get any extra wages for this period?

This issue has been settled without admission of liability. The company shall make *ex gratia* payment of Rs. 500 by way of settlement to Shri Sitaram, in addition to Rs. 750 already paid *ex-gratia*.

**Issue No. 1(c).**—Whether Sarvashri W. K. Sheikdar, Keshoo Prasad, R. S. Agarwal or any other member of the Time Office staff were required to work all the seven days in the week from January 1956 to 20th August, 1960 and if so, whether they are entitled to get any extra wages for this period?

Apart from the question of principle there is a dispute as to the amounts. The Union agrees that there are no other workmen in Nowrozabad who claim or are entitled to the like reliefs as claimed by these workmen. I direct an *ex gratia*

payment to the undermentioned employees of the sums hereinafter shown against their respective names in full and final discharge of their claims:

1. Shri K. N. Sharma	Rs. 750
2. Shri W. K. Sheikdar	Rs. 850
3. Shri K. P. Srivastava	Rs. 625
4. Shri N. K. Mukherjee	Rs. 500
5. Shri R. S. Agarwal	Rs. 475
6. Shri S. K. Mukherjee	Rs. 625
7. Shri S. S. Das (Token Office)	Rs. 475
8. Shri Jaldyal	Rs. 475
9. Shri Makranpd	Rs. 500
10. Shri C. D. Ghosh	Rs. 400
11. Shri M. D. Surti	Rs. 220
12. Shri Pratapsingh	Rs. 275

*Issue No. 1(d).—Whether Office Peons were required to work for all the seven days in the week for the period from 26th May 1956 to 20th August 1960, and if so, whether they are entitled to get any extra wages for this period.*

It now appears that except for Dhanoo the other Peons did work on some "weekly days of rest", but not for the whole day; in fact they worked not more than 4 hours on each such day. As regards Dhanoo his case is different. He is a peon, but he was staying in the village and was in fact exempted from attending on days which are known as days of rest; when he did work on a day of rest he was paid something separately for it.

2. It is urged by labour that these office Peons should be paid extra wages for the period 26th May 1956 to 20th August, 1960. The first demand of the union was made on 4th January 1961 by letter to the Conciliation Officer (Central) at Jabalpur, and in so far as this issue is concerned, in paragraph 15 of that letter the General Secretary of the Union wrote: "the following workers have not been paid overtime for the number of hours and period mentioned against their names—i.e. Office Peons: 4 days per month from 1952." In the claim now before me, the issue is whether they are entitled to get any extra wages for these periods, which of course is a different stand. Furthermore although in the letter to the Conciliation Officer the claim is made for the period from 1952, it has been now modified to the period from 26th May, 1956 to 20th August, 1960.

3. The company contends that there is no basis for the claim inasmuch as Peons had been removed for the relevant period from all the provisions of chapter VI (hours and limitation of employment) by notification duly made under Statute, and that there was not any obligation on the management to pay these Peons either overtime or extra wages or compensation for the period up to 20th August 1960, on which date the exemption imposed by the Government Order was removed. There are other contentions too which the company has taken regarding the individual peons in the list. It is true that some claims for the period after 20th August 1960 in respect of these Peons have been settled with the Union, but the company contends that for the period prior thereto any obligation on the company to pay for work on rest days had been removed by the notification under Statute. It has been further argued on behalf of the company that the Payment of Wages Act and cognate labour enactments were available to the workmen at the relevant period under which they could have claimed their alleged dues; that the periods of limitation under these enactments having expired, attempts are now being made to bye-pass the bar of limitation by way of proceedings under the Industrial Disputes Act which the company contends is not sustainable.

4. Although the non-payment is said to have started in 1952 nothing was done about it, and there was no claim made in respect of such demands for the Peons until the Union wrote the letter to the Conciliation Officer of Jabalpur on 4th January 1960. Even in the second letter to the Conciliation Officer dated 15th June 1961 when conciliation proceedings were sought, the claim was for 4 days per month overtime wages for Office Peons from 1952.

5. It is correct that by circular No. 8 of 1954 the Government of India in the Department of Mines on 22nd November 1954 drew the attention of all parties concerned to notification No. 2804 of 24th August 1954 by which the Government

of India in the Ministry of Labour had in exercise of the powers conferred by section 83 of the Mines Act 1952 removed certain classes of persons from the operation of most of the provisions of Chapter VI of the Act, subject to conditions mentioned. One of the classes of persons exempted was: "Clerks, Accountants, Time Keepers and Orderlies on the surface"; they were exempted from all provisions of Chapter VI except the provisions contained in sections 44, 45 and 46 and sub-sections (1) and (4) of section 48; and the conditions attaching to the exemption have no application to "Orderlies", which it is accepted denotes "Peons". Notification 2804 was withdrawn on 20th August 1960. Thus it is clear that the obligation on the management to provide for weekly days of rest or compensatory days of rest or to pay for extra work or over-time during the period of the exemption was removed, and in fact they were protected against any claims which could have been made but for the exemption. The question now arises as to whether in such circumstances labour can now make the claim raised by this issue. The claims should have been made from 1952, whereas nothing was done till 1961. As their Lordships of the Supreme Court have observed in the case of *Indrasingh and Sons Ltd.* 1961 2 LLJ page 86 at page 92:

"It is true that laws of limitation which might bar any civil court from giving remedy in respect of lawful rights are not and should not be applied by the industrial tribunals. On the other hand it is a well-accepted principle of industrial adjudication that over stale claims should not generally be encouraged or allowed unless there is a satisfactory explanation for the delay. Apart from the obvious risk to industrial peace from the entertainment of claims after a long lapse of time, it is necessary also to take into account the unsettling effect this is likely to have on the employers' financial arrangements. Whether a claim has become too stale or not will depend on the circumstances of each case. x x x While these cases do not lay down an absolute proposition as suggested on behalf of the respondent that relief can in no case be granted for a period prior to the demand, they do strongly support the proposition that in deciding on the date from which the relief should be given the industrial tribunal ought to pay particular attention to the date when the demand was first made."

6. To hold that when an exemption had been duly made by the Government by Notification under Statute, as was done in respect of these Peons, in order to lighten the burdens on the management, it would be open to the workmen upon the removal of the exemption to contend that notwithstanding such restrictions the employers were bound to pay them as if there had been no such exemption, would be contrary to principle. On the face of it, it is a stale claim. But apart from that, to grant such a claim would destroy the confidence which parties must necessarily repose in statutory protection; and to find that it was no protection at all would upset managerial calculations. In my opinion a statutory exemption of this character is complete and final in itself. But assuming that the topic can be re-opened as if the exempting notification had no abiding value, even then the claim would fail as a stale effort.

7. But in equity the position is not by any means as grim as has been made out on behalf of labour. Let us first examine the exact contentions of labour. By letter of 5th March 1959 Ex. 32(c) the Union made the claim: "Peons employed in the mines and incline offices are being paid 26 days' salary when they are actually working for 30 days. We request immediate payment of arrears to them from the date of the award along with the proportion of bonus etc. For future 30 days' wages be paid to them." The award here referred to was the Mazumdar Award dated 26th May 1956. The company sent its reply on 12th May 1959 to the following effect: "It is not correct that Peons are paid for 26 days when they are actually working for 30 days in the month. Those who are required to work throughout the month, their salary has been computed taking 30 days into consideration and the rest who are working only for 26 days they are paid accordingly. As such, there is no case of any under payment." On 26th August 1960 the Union sent a letter in which it claimed: "Office Peons: All the Office Peons are required to work all the days of the week except Shri Dhanoo. We request that these workmen be paid overtime wages for 4 days from the date of the award and for future they must be given one day's rest in a week." It is common ground that the claim was denied by the company, and the Union therefore asked for conciliation. It is therefore clear that the claims which had been made and which had been refused were not in the same terms and the claims made for extra wages for the rest days. As regards these Office Peons, the letter of 12/13th March 1959 of the company settled it, and there was no scope for negotiations. The Mazumdar Award had prescribed 15 As. per day for category I, but it did not prescribe the wages of Peons as such. The company

therefore paid them 15 As. per day. This was subsequently increased to Rs. 1-1-0 per day as from 26th May 1956, by the Labour Appellate Tribunal whose award gave the Peons the scale of Rs. 26-0-0/0-8-0/30-0-0/1-0-0/40-0-0. Although the Peons had been fixed on Rs. 28 per month, the company liberalised it by multiplying Rs. 1-1-0 per day (which was the minimum of category I under the Labour Appellate Tribunal) by 30, and the company gave them the benefit of increments for past services as directed by the Labour Appellate Tribunal's award. The Das Gupta Award, which came later, gave the minimum of Rs. 28 per month to the Peons, but did not give any retrospective effect. According to the Labour Appellate Tribunal Award the wages for 26 days would have been Rs. 28 per month plus past service increments. In actual fact what the company did was that they gave Rs. 1-1-0 multiplied by 30 (because of the workmen having worked on all days of the month) plus past service increments. The result was that whereas under the Labour Appellate Tribunal's Award the wages of Peons would have been Rs. 31.20, as for example in the case of Sardar Ali, the actual wage fixed by the company was Rs. 34 per month with retrospective effect from 26th May 1956. The Das Gupta Award did not increase the emoluments as were being paid by the company. It would thus appear that the company had been paying higher wages than that they were bound to pay during the period in question, and it was only on the basis of 30 days' work that Rs. 34 could have been fixed under the existing circumstances. The conciliation report of 1st January 1962 confirms the view which is here taken. Mr. Chougule, however, has contended that if the company had been giving wages as per rates prescribed by the L.A.T. award, adjustments must be made according to then existing rates, and Mr. Chougule contended that the company fixed Rs. 34 for working 26 days and took 30 days work. It is true that for 4½ years these workmen were not given complete days of rest because of the statutory exemption. But notwithstanding the exemption, the company has on its own given more than what has been awarded and had to that extent compensated the workmen for what had happened before, although they were not bound to do so. As regards Mr. Chougule's contention that adjustments should be made on the actual wages of workmen at the date of Labour Appellate Tribunal Award, it must be appreciated that agreements for past service in any scheme of wage fixation are considered as part and parcel of the scheme of wages. Sardar Ali for instance was actually getting Rs. 28-2-0 for 30 days at the date of the L.A.T. award. According to the Labour Appellate Tribunal Award his wages for 30 days came to Rs. 31.20 n.P. whereas the actual wages fixed by the company was Rs. 34 and that too retrospective from 26th June 1956. Mr. Chougule placed a letter of the company to show how the figure of Rs. 32 was fixed, but there was an error in it, which was clarified in the conciliation proceedings.

I am unable to grant this claim.

#### Issue No. 2:

"Whether there existed a practice for the workshop employees employed by the Nowrozabad Colliery of working for seven hours only on the day of the "Bhujalia" ceremony and the day of "Janmashtami" and getting wages for eight hours on these days? If so, whether the deduction made by the Management of one hour's wages in respect of the 16th August 1962 and 23rd August, 1962, were justified. If not to what relief are the workmen entitled?"

The facts are not in the dispute. The local festival like Bhujulia and Janmashtami do not attract festival holidays as laid down for this colliery. But it has been alleged in this issue that from the inception of the colliery there has existed a practice for the workshop employees, amongst others, at Nowrozabad Colliery, of working 7 hours only on certain local festivals including Bhujulia and Janmashtami and getting wages for 8 hours; that in practice every year the workers on the above mentioned festival days work continuously from 7 a.m. to 2 p.m. instead of working from 7 a.m. to noon and 2 p.m. to 5 p.m. with the break of 2 hours; and this practice continued up to 1962. It is said that on 16th August 1962 and on 23rd August 1962 (being days of the above festivals) the workers as usual took their one hour off but the management objected to it and deducted their wages for one hour; the deduction of wages, it is said, was illegal, as the discontinuance of practice was in itself arbitrary and illegal and was effected without notice of change. The workmen therefore ask that they should be paid 2 hours wages, one for each festival day, and that the practice which they have claimed had lasted 15 and more years should not be discontinued.

2. I have heard the evidence and I have been impressed by the evidence of Shri Sukhdeo Wadhwa, who has been working in the workshop of the colliery since 1947. He started as a Workshop Apprentice for 3 years, and thereafter was

appointed as General Fitter; in 1955 he was promoted as Assistant Foreman in the workshop, and since 1963 he is working as a Foreman of the Workshop. He says that there never had been any practice for the workshop employees to work only 7 hours on these two festivals or any other local festivals, and that on these festivals the normal daily hours were worked: viz: 7 a.m. to Noon and 2 p.m. to 5 p.m. The two hours in between was the lunch recess. This witness goes on to say that for the first time on the day of Bhujulia festival which fell on 16th August 1962 the workmen at about 9.30 a.m. approached him with a request that they should be permitted to work for 7 hours continuously without any rest from 7 a.m. to 2 p.m. and thereafter they may be allowed to leave the work to celebrate the festival. The witness reported the matter to the Assistant Mechanical Engineer and it was taken up to the Chief Engineer who enquired from this witness as to whether such a request has been allowed in the past. The witness told the Chief Engineer that such a request had never been made by workmen of the workshop in the past and that it was the first time that such a request had been put forward. The Chief Engineer consulted the Manager, and he then asked him the witness and Seva Singh, the Foreman, to inform the workmen that their request to be allowed to work only for 7 hours was not favoured by the management as there was no such practice in the past. The workers however insisted that they should be let off early. The Chief Engineer again consulted the Manager and as a special case agreed to the workmen working for 8 hours from 7 a.m. to 3 p.m. continuously, and informed the workmen accordingly. However with the exception of some workers all the rest in defiance of the instructions left the workshop at 2 p.m. on the same day; and the company immediately put up a notice on 16th August 1962 stating that all those workers who left their duties in violations of orders would be marked absent for one hour and their wages would be deducted accordingly.

3. After some days, on the day of Janmashtami festival the majority of workers continued to work during their lunch interval--noon to 2 p.m. On seeing it this witness and Seva Singh asked some of them why they had not left for their lunch at noon. They replied that because of the festival they would work the shift continuously and would then leave. Immediately the matter was reported to the Chief Engineer, and a notice was displayed pointing out that without permission the workers were working continuously after 12 noon without breaking for recess, and they were informed that they were to put in 8 hours work, failing which suitable action would be taken.

4. The witness goes on to say that in 1963 and 1964 the number of workers who worked only 7 hours on these two festival days in defiance of the instructions of the management had diminished.

5. On the evidence I am unable to accept the contention that the practice as alleged by the workmen under this issue had been in existence at any time. Since the number of festival holidays had been fixed, the other local holidays must be deemed to be of lesser importance. I imagine that it was not right or convenient (and possibly embarrassing) for the management to agree to the workers working continuously from 7 a.m. to 3 p.m.; but as a temporary solution they were obliged to allow the workers to work continuously for 8 hours from 7 a.m. to 3 p.m. in order to earn full wages for the day. The workmen, however, insisted on working one hour less and they have not been paid for the one hour. So long as the festival holidays have been specified, the workers cannot work one hour less on unauthorised festival holidays. In my opinion the company was justified in paying for 7 hours work. The alleged practice of paying 8 hours wages for 7 hours work on these unauthorised festival days has not been established.

I hold that no relief is indicated.

#### Issue No. 3:

"Whether the discharge of Shri Bhaiyyalal, mining sirdar, by the management of the Nowrozabad Colliery, was justified. If not to what relief is he entitled?"

The principal facts are not in dispute. Shri Bhaiyyalal failed in a medical examination and so he was no longer qualified to perform the duties of a Sirdar in the mines, and this was communicated to the company by the Chief Inspector of Mines by his letter of 27th June, 1961. The Chief Inspector of Mines stated that if Bhaiyyalal obtained suitable glasses after getting his eyesight examined by an Eye Specialist he might be permitted to appear at another medical examination. The workman was duly informed of this by letter of the Manager on 2nd July 1961. According to the evidence of the Manager, Shri Bhaiyyalal on receipt of the company's letter approached him personally with a request that he may

be provided with some job on the surface as an interim measure so that he could re-appear in the medical examination later and get the Sirdar certificate restored. The manager considered this request sympathetically and provided him with surface jobs which were available from time to time; he worked some time in the Pellet Section, and for some time he supervised the supply of coal for domestic use, and then he worked as Fan Driver from 26th May 1962 till his discharge on 6th September 1962. Shri Bhaiyyalal at a later stage contended that his employment as Fan Driver on the surface was in the nature of a permanent fixture; but it is evident that he has tried to take advantage of the manager's consideration for him; he was given emoluments of a Sirdar even while he was doing lesser jobs, in order to give him an opportunity to get his Sirdar's certificate restored by appearing again and passing the medical test, and it is not denied that he was working as Fan Driver only from 26th May 1962. On 11th April 1962 Shri Bhaiyyalal was reminded that he had been permitted by Mines Department to re-appear at the medical examination, the date of which would be fixed later. In that letter the company stated: "We write this to give you the intimation in advance that should you again fail in the forthcoming medical examination we regret our inability to continue you in our service any longer thereafter which please note;" The Chief Inspector of Mines asked Bhaiyyalal to appear for a fresh medical examination at Nowrozabad Hospital on 17th June 1962 but he failed to appear and without any reason. The company thereafter terminated his services by letter of 6th September 1962.

2. This is an unfortunate case of a man losing his Mining Sirdar's job because of bad eyesight, but the workman has done nothing to help himself. Although the company sympathetically continued to pay him his mining sirdar's wage and allowed him to do lesser jobs till his next medical test as stated above, the only return they got was the plea that he had been wrongly removed from his job as Fan Driver.

3. There can be no doubt, in answer to this issue, that the discharge of Shri Bhaiyyalal, Mining Sirdar, by the manager was justified; he had failed in his medical test and he did not take a second test as allowed to him by the Chief Inspector of Mines; and this in spite of the fact that he had obtained a certificate from the Medical Officer of the Mungeli Eye Hospital that he was fit for any job of manual work as far as his sight was concerned. He wanted to continue as fan driver which was a job temporarily given to him to carry on until he faced the second test.

4. In these circumstances there is nothing that can be done for him and he is not entitled to any relief. Nevertheless I asked the management whether they would be able to take him in some lesser capacity; they were willing to find him a job at Kotma colliery which he was not prepared to accept. I would however recommend to the management that, if they could, they might ex-gratia give him a lesser job at Nowrozabad Colliery if it is possible to do so in the future without affecting the promotional claims of others; but no question of retrospective emoluments or rights would arise therefrom.

*Issue No. 4 :*

- (1) Whether the demand for higher grades, special increments, etc. as set out in Annexure 'A' in respect of monthly paid staff listed therein is justified. If so, to what extent?
- (2) Whether the demand for revision of categories and higher wages as set out in Annexure 'B' in respect of daily rated employees listed therein is justified. If so, to what extent?

ANNEXURE 'A'

Name	Present Grade	Grade Demanded
1 Shri R. S. Chaturvedi	B	102—8—140—EB— 10—200.
2 , , John Joseph	Cat X	Do.
3 , , S. L. Gopal	A	Biennial increments.
4 , , W. K. Shekdar	B	A
5 , , M. L. Vishkarma	B	A
6 , , L. P. Gupta	C	A
7 , , D. L. Chakravarty	C	A

Name	Present Grade	Grade Demanded
8 Shri C. D. Ghosh . . . . .	C	B
9 , , Gurnam Singh . . . . .		
10 , , N. K. Mukherjee . . . . .		
11 , , Charan Singh . . . . .		Special Grade with ceiling at Rs. 200/-
12 , , R. P. Pandey . . . . .	B	A
13 , , M. L. Khar . . . . .		
14 , , G. Mozumdar . . . . .	B	A
15 , , G. R. Swamy . . . . .		
16 , , Hitendra Singh . . . . .		
17 , , S. K. Mukherjee . . . . .		
18 , , Makarand Prasad . . . . .		
19 , , M. D. Surti . . . . .		
20 , , S. S. Dass . . . . .		
21 , , Jaidayal . . . . .	C	B
22 , , V. N. Singh . . . . .		
23 , , Iswar Singh . . . . .		
24 , , Ratnakar Singh . . . . .		
25 , , Madhoo Prasad . . . . .	Awarded (Gr. III)	B
26 , , Mohan . . . . .	D	
27 , , B. L. Yadav . . . . .		
28 , , A. K. Sen . . . . .	C	A
29 , , T. K. Vishnoo . . . . .		
30 , , Shambhoo Singh . . . . .	B	A

## ANNEXURE 'B'

Workshop Department		Scales of pay and Category Demanded	
1	Shri Hanif-Welder	2.75 cat IX Proper fitment 2.75 cat IX Rs. 85/- Basic Cat. X Rs. 1.87 Cat. VII Rs. 2.85 cat. IX	
2	„ Nahar Singh-Turner		
3	„ Sunderlal-C.W.M.		
4	„ Budhoolal-Moulder		
5	„ Bhelpu B/ smith		
6	„ Ramprasad „		
7	„ Nirpath „		
8	„ Satlal „		
9	„ Kampati „		
10	„ Gahabar „		
11	„ Sukhdeo „		
12	„ Gayaprasad „		
13	„ Mewalal „		
14	„ Rambisal „		
15	„ Dhanoo „		
16	„ Nathulal „		
17	„ Babulal-Fitter		Rs. 85—Basic Cat. X
18	„ Gangacharan-C.W.M.		Rs. 1.87 Cat. VII
19	„ Damroolal-Ass'tt. Fitter		Rs. 1.87 Cat. VII
20	„ Banwarilal-Carpenter		Cat. IX
21	„ Ramadhin Moulder		Rs. 2.75 Cat. IX
22	„ Bhagwandin-C.W. Mechanic		Rs. 1.87 Cat. VII
Power House Department			
1	Shri Ganga-Fireman	Rs. 1.87 Cat. VII Do. Do. Rs. 85/-Basic Cat. X Rs. 1.87 Cat. VII Do.	
2	„ Bisali-Fireman		
3	„ Sudhoo-Fireman		
4	„ Belaprasad-Fireman		
5	„ Chotelal-Fireman		
6	„ Thingai-Fireman		

Workshop Department		Scales of pay and Category Demanded
7	„ S. K. Das-Oil issuer	Clerical Grade III
8	„ Ramkumar Singh-Elec. fitter	Rs. 2.75 Cat. IX
9	„ Milan-Fitter	Do.
10	„ Sunil-Fitter	Do.
11	„ Piyarelal-Elec. Fitter	Rs. 2.75 Cat. IX
12	„ Babulal-Motor Winder	Rs. 2.75 Cat. IX
13	„ Ramsahai-Helper	Rs. 1.8 Cat. VII
14	„ Harsaran Singh-Elec. Fitter	Rs. 1.8 Cat. VII
<i>Coal Cutting Machine Department</i>		
1	Shri Moti-C.C.M. Fitter	Rs. 2.75 Cat. IX

[No. 5/32/63-LR.II.]

A. L. HANNA, Under Secy.

This issue relates to classification and categorisation and also involves questions relating to promotion.

2. To begin with in Schedule 'A' there are 30 workmen who have made a claim that they should all be upgraded. Of these 30, 24 are B Grade Clerks, one is a driver John Joseph, and the rest are Supervisors and Loading Clerks/Loading Supervisors *Inter alia* 22 of these 30 persons had raised disputes concerning their categorisation in a more extensive adjudication which was referred by the Central Government on 14th March 1959 to the Industrial Tribunal, Bombay. During the pendency of that reference which was Ref. No. CGIT 1 of 1960 the parties on 24th March 1960 came to an agreement and the Tribunal passed an award in terms thereof. Pursuant to paragraph 3 of the said award and paragraph 8 of the said agreement concerning issue 8 the parties on 2nd February 1961 came to an agreement which was recorded in a memorandum of settlement signed by Mr. K. B. Chougule on behalf of the workmen and by Mr. Bapuji on behalf of the company. The memorandum of settlement stated that all the parties mutually agreed and entered upon the agreement which was attached and which was to lead to final settlement of all claims under Issue No. VIII of the said Reference. The claims of several categories were settled in terms of that agreement including the claims of 22 of these 30 Clerks (vide Ex. 108C). 60C is the settlement of individual cases. The date of that said settlement was 2nd February 1961, and the present claim was made within about 2 years of that settlement. It has been said by Mr. Chougule that the settlement has been terminated; but a settlement of this character concerning classification and categorisation has a wider connotation. It means that at that particular date the persons doing these particular jobs accepted the categorisation and classification then made and were satisfied with the settlement. It may be that they were not completely satisfied, but it is fair to assume from the nature of this settlement that at least at that date the parties considered that they had been placed with reasonable exactitude in the hierarchy by way of categorisation and classification. Mr. Nanavati points out that except for Mr. Swami and L. P. Gupta, who have given evidence of duties performed, there is no material evidence on labour's side of the duties of the workmen. Mr. Swami, the Secretary of the Union in his evidence has stated that in most cases there has been no change of duties between 1961 and this year. The present claim was made on 12th October 1962, whereas the settlement was effected on 2nd February 1961. If, contrary to what Mr. Swami has said, there had been any substantial difference of duties within the space of 1 year and 8 months or up to now to justify the claim for reclassification or fresh categorisation made by this issue, such facts would surely have been brought to my notice. Ex. 82C has been filed by the company as the history of all the individuals here concerned.

3. Ex. 106C is a statement giving the names of all the workers mentioned in Annexure 'A' to the order of Reference dated 6th September 1963 before the Bombay Tribunal, and the names therein with double asterisks are the names covered by the memorandum of settlement dated 2nd February 1961. Ex. 60C (5 pages) is an application for filing on record before the Industrial Tribunal at Bombay, dated 2nd February 1961, stating that the parties had entered upon the settlement as per Annexure thereto in settlement of all claims under Issue VIII of the Reference, and it is signed by both the parties. The operative part of the actual settlement which the parties filed states:

"Now therefore in pursuance of paragraph 3 of the said award, and paragraph 8 of Annexure A to the said award concerning Issue No. VIII in Reference CGIT No. 1 of 1960, the parties mutually agree and enter into the annexed settlement

which is full and final settlement of all claims under issue No. VIII of the said Reference". 61 persons were by that settlement appropriately fixed:

4. Labour points out that after the date of the settlement the concern has increased its work. The washery was commissioned in August 1960; No. 6 incline started giving production in 1962, and general production had increased; concurrently the number of workers increased, according to Mr. Chougule from 1400 to 2000; upto 1960 all coal was loaded at the incline mouth, but thereafter it was mechanically loaded and transported by diesel loco, and later by a conveyer belt from colliery to washery 2600 feet long. But the impact of these things on classification and categorisation is not apparent, because the number of workers also increased and the essential character of the work was such as could be covered by the present categories; may be more persons were required for the extra work, but the additional activities were homogeneous. There is no suggestion that the concern is understaffed.

5. As stated already, 22 out of 30 persons in Annexure 'A' were duly fixed by the settlement of 2nd February 1961. As regards the remaining 8, one is no longer in service, 3 joined the colliery after 1961; and S. L. Gopal, R. S. Chaturvedi, G. R. Swami, and S. S. Dass were not parties in the disputes of 1961 and no dispute was raised about them.

6. The company has contended that the subject of classification and categorisation and fitting into scales is essentially a managerial function, that no question of malpractice or unfair labour practice has been raised, and therefore no interference would be justified. The company has in fact, in spite of the agreement of 1961, upgraded certain of the Clerks during the pendency of this dispute, and out of the 30 persons in Annexure 'A' the company in the ordinary course has already promoted 9 of them pending this dispute (vide Ex. 107C). This, it is contended, is an indication that the managerial functions concerned with categorisation and classification and fitting into scales have been exercised. The company has filed Ex. 108C giving a statement of all the workers in the various designations which are enumerated in Annexure 'A' of the order of Reference. Ex. 107C gives a list of 9 persons who have been promoted to higher grades after this issue of classification and categorisation had been made, and among them is a member of the Executive of the Union, a Vice-President of the Union, the Secretary of the Union, a Treasurer of the Union, and an Auditor of the Union Accounts. The company contends that the claim in this issue may be described as one for wholesale promotion in the guise of categorisation.

7. The company's attitude towards the payment to staff has been liberal; even though the scales of the clerical categories had been fixed by awards the company gave certain alternative scales to the clerks, which the company considered to be and were in fact more favourable to them; all the persons who came within the ambit of the order took advantage of the new rates.

8. As regards Annexure 'B' concerning workers of workshop department Power House Department and Coal Cutting Machine Department full arguments were presented in support of upgrading. I have carefully considered them. They include claims for promotion rather than matters of pure classification and categorisation. The subject, however, is not new as regards the workmen before me, because in the case of these workmen too there have been settlements and advances. As regards the claim of the time rated workers, it would appear that after the Mazumdar Award had been made and the decision of the Labour Appellate Tribunal had been given in appeal, the company and the union had addressed a letter jointly dated 7th September, 1957 (Annexure IV to the company's written statement) and item 1 of that letter states as follows:—"Categorisation and fixation of rates of wages of time rated workers: All the time rated workers in the colliery have been fixed up in their respective categories and their wages have been fixed." This letter is addressed to the Chief Labour Commissioner, Government of India, New Delhi, and is signed by Mr. Jha as Manager of the Colliery and Mr. K. B. Chougule and Mr. Qureshi (The General Secretary and President of the Union). In May 1960 the Union by letters Ex. 74C and Ex. 76C raised disputes regarding category of certain workers of the Power House Department Workshop, Engineering and Boiler Department etc. The claims of 12 workmen out of 22 of the workshop department were contained in Ex. 74C which is dated 7th May 1960. The case of 12 workers out of 14 workers of the Power House Department were raised in Ex. 76C dated 18th May, 1960 for categorisation. The management considered these cases and some of the persons were promoted to the higher categories or were given special increments from 22nd June, 1960. There is another letter Ex. 73C dated 31st July, 1960 by which the company wrote to the Regional Labour Commissioner (C) regarding

the understanding arrived at between the company and the union on the question of categorisation of the workers; it contains the settlement by the company of the cases of Budhulal, Ghobar, Rambisal, Dhanoo Gangacharan, Dhanrulal, Ramadhin and Moti. The Union on 2nd August 1960 by Ex. 72C paragraph 3 confirmed: "All cases of categorisation of workers have been finalised recently and we are satisfied with the categories awarded for the jobs the workmen are performing today." In the case of Harsaransingh there is a settlement of 6th November, 1962 (Ex. 77C) Ex. 82C shows the cases of promotion to higher categories or giving of special increment in consultation with the union starting from 22nd June 1960. As regards items 1 to 6 of Power House Department in Annexure 'B' the claim has been made that as the firemen are working with water tube boilers of considerable capacity not envisaged by the awards, they should be placed in a higher category. But even for the grade in which they have at present been placed the requirement is a first class certificate which apparently none of them has got. In such circumstances there is no basis for the claim.

9. Much has been said on this issue of categorisation and promotion and classification and I have heard the parties with great patience, and my notes run to dozens of pages. I have carefully considered all the facts and circumstances and the contentions of the parties and if I do not refer to these matters in detail it is because the subject is such that something said today might quite inappropriately be utilised to the disadvantages of the person concerned at some future date; and that would be undesirable. I have gone carefully into each one of the cases raised in this issue on the materials placed before me. The cases of two persons in Annexure A and of five in Annexure B were not pressed.

10. Questions of classification, categorisation and upgrading have been held to be managerial functions, and proceed according to the needs of the concern. There must be a flow of work with younger people coming up, replacing the retired personnel and filling vacancies caused by promotions, and it has been accepted that the question of promotion to higher category and also within the grade is a managerial function for the plain reason that the management is the best judge of the value of the employee's work. It is true that there can be instances where promotions have been refused or postponed because of some unfair reason; but taking a broad view of these matters the trend of recent decisions has fairly contained the dangers of favouritism. In so far as the Clerical category as such is concerned, there seems to be fair balance here between the grades having regard to an establishment of this character; and the workmen have succeeded to the extent of the company's categorisation and classification and promotions voluntarily made during the pendency of this dispute. I am unable to conclude on the facts that the categorisation and classification of the persons before me or their promotion calls for any further changes from me. From among Annexure A persons before me 2 cases have not been pressed, and as to the rest 9 out of 30 in Annexure A have been promoted during the pendency of this adjudication. Out of 37 persons in Annexure B, 5 cases have not pressed, and from June 1962 several have moved up by way of scales or additional emoluments. Thus the position has not been static. But without impinging upon the managerial functions involved, I would suggest to the management that the cases of the following persons might be reviewed by them:

*Names.*

*Annexure A*

(15) G. R. Swamy, Clerk.	(2) Narar Singh, Turner
(25) Madho Prasad, Loading Supervisor.	(6) Ram Prasad, Blacksmith.
(26) Mohan, Loading Supervisor.	(10) Gabahar, Blacksmith.
	(15) Dhanoo, Blacksmith.

*Annexure B*

11. I hold accordingly that there are no grounds for interference by me under this issue, and no retrospective effect is indicated.

*Issue No. 5:*

"Whether Shri Namaiyya, a workman in the Survey Department of the said Colliery has been wrongly designated as Mazdoor, if so, to what relief is the workman entitled and from what date?"

It is the case of the workman that he has been wrongly designated as Mazdoor when in fact he has been working as Helper to the Carpenter since 1956, and that his correct category is Category III under the Coal Award. This workman says that he has put in 16 years service and has acquired sufficient skill and efficiency in carpentering which is being put to full use by the management. It is claimed that he should be paid category III wages from 1st January, 1956 retrospectively. In the letter of the Union to the Conciliation Officer (Central) Jabalpur, dated 4th January, 1961 it was claimed that Namaiyya should be placed as a mason in category V as and from 1st January, 1960.

2. According to the statement of Shri Kanayya Gulabrai Advani, who is an Assistant Civil Engineer at the colliery since 1963 and supervises the civil engineering work of construction and maintenance of building, roads, drains etc. he has under his supervision one Mastry, 2 Masons, 2 Carpenters, and 6 Mazdoors, including Shri Namaiyya. According to him Namaiyya is designated as Mazdoor and is working as a Mazdoor, and his work requires no special skill or experience; that the other 5 mazdoors also put in work requiring no special skill or experience. Shri Namaiyya, according to Mr. Advani, is required to do jobs like carrying materials and tools from one place to another and the usual implements of Carpenters or Masons, and performs similar other unskilled jobs; he had never been put to use as a Carpenter or Mason and there is no such designation as Helper in the section. Namaiyya had worked as Bar Bender from March 1961 to October 1961 and from June 1962 to September 1962. But according to this witness Namaiyya has not been called upon at any time to perform the duties of a Helper. He has been working as a Mazdoor mostly with Carpenter Abbas Ali, and on rare occasions with Shri Barela Carpenter.

3. There can be no doubt that Namaiyya was appointed as a Mazdoor in the carpentering work. It may be that by long association with carpenters extending over 16 years he has gradually accustomed himself to some of the work of the carpenters and has relieved them of some portion of their work with their willing acquiescence, for the carpenter would be happy to have an easier time. The main question however is this: Whether the company required or requires a helper for the carpenter for carrying out the work of the Carpenter. In this connection it is not suggested that the work of the Carpenter has increased. Shri Abbas Ali says that the work he does in this concern is furniture making and repairing, polishing, repairing doors and other similar jobs, as also some moulding work. Thus the work itself is not exacting in nature or extent, nor can it be regarded as heavy carpentering. Abbas Ali says: "When I came to the department other mazdoors were there. But I cannot say whether they were helpers. Unless there is a helper the carpenter finds his work difficult but was bound to carry out the work with difficulty until the mazdoor acquires efficiency to help him". He was asked as to the nature of the help which he was receiving. He said that Namaiyya did planeing either with him or by himself; could saw according to a line which the carpenter would make on the timber; fix hinges to doors, he would do the lesser jobs in upholstery like tieing the springs, and he also did some polishing; and Abbas Ali says that Namaiyya is above the mazdoor's grade. According to him whoever works with the carpenter is a carpenter's helper; the helper would be able to identify the tools required, he would be on the way to becoming a Carpenter. It may be (Abbas Ali says) that the mere holding of the planer does not make the mazdoor a helper, but he has to be instructed in it, and Carpenter's work is not limited to planeing. Abbas Ali does not think that there is any work of a Carpenter which does not require a helper. He requires one helper for sawing; for door fitting he must have a helper because, he says, it is not possible to fit doors without the help of somebody who has got some experience of the work. The helper can carry tools which he (Abbas Ali) may specifically require for the job; the helpers are also required for sand papering and for removing wax, also for tightening the screws and the work connected with the pieces of wood. The helper is also required for cutting and fitting, and if he is not there another carpenter is required.

4. I conceive that it is in the usual order of things that the mazdoor attached to the skilled or semi-skilled worker naturally tends towards learning the type of work which the latter is doing; but the question is whether the helper is necessary for the job and whether the company requires a helper for the carpenter. As far as I can judge from the evidence the work has not increased, but whatever the work is it is not exacting. Abbas Ali himself learnt his Carpenter's work by the slower process of experience. As regards the actual work to be done, a competent carpenter could very well carry out the work himself, as indeed Abbas Ali did carry on by himself for a number of years until, he says, he found that Namaiyya could be made to do some of his work.

5. The Mazumdar Award came into effect on 26th May, 1956, and the Labour Appellate Tribunal's Award was given on 29th January, 1957, and after the latter award came into existence the workmen had to be fitted into their categories with effect from 26th May, 1956. Namaiyya was not raised from Mazdoor at the time of this categorisation. In fact there is a joint letter of 7th September 1957 written by the company and the union addressed to the Chief Commissioner of Labour, Government of India, at New Delhi, in which it is stated: We are glad to inform you that we have, in a spirit of perfect co-operation, implemented the Award of L.A.T. to the satisfaction of all concerned in accordance with the directions and terms of the Award as under:—

"(1) The categorisation and fixation of rates of wages of time rated workers. All the time rated workers in the colliery have been fixed up in their respective categories and their wages have been fixed according to the terms of the Award.

We would request you to put it on record in connection with the recommendations of the award of the Labour Appellate Tribunal."

6. I am not prepared to categorise Namaiyya as "Helper", because he was appointed as mazdoor and his legitimate duties are those of a mazdoor as when he started. The company has not altered his work or his relationship *vis-a-vis* the carpenter; in 1960 he did ask the company that he should be made a mason, but it was refused.

7. Namaiyya has worked in the concern for 16 years but has not had any chances of promotion. He has reached the maximum of his scale and has probably acquired some skill in carpentering. But the company has no need for a helper. I consider it fair in the circumstances to give some relief to Namaiyya. I direct that he should be given 3 additional increments in his category I as personal to him so long as he continues in his present work, retrospectively from 1st June, 1963, and it will be personal to him and will remain so even if the resulting figure takes him beyond the maximum of his category I.

#### Issue No. 6:

"Whether the suspension of Sarvashri Lalmani and Satai, Coal Tub Mazdoors, for ten days by the management of the said Nowrozabad Colliery was justified. If not, to what relief are the workmen entitled?"

I shall first deal with the case of Shri Satai Lal. The charge against him was that on 20th May 1963, while he was on duty he refused to perform his normal duties of putting pressure bar against the rivet during the rivetting operation on the tubs. He was instructed by the Assistant Foreman a number of times to carry out this normal duty but he refused to do so stating that he had trouble in his stomach and could not work. Thereafter the Assistant Mechanical Engineer tried to persuade him to do the work but he remained idle during the shift. Again on 22nd May 1963, and 25th May 1963, he refused to work on rivetting tubs and remained idle. He replied to the charge sheet on 29th May 1963 stating that on 20th May 1963 he had some trouble in his stomach, that he had asked the Assistant Foreman and Assistant Mechanical Engineer to permit him to do some other as he was unable to undergo heavy strain, and the Assistant Mechanical Engineer was kind enough to permit him to work on pushing tubs and cleaning machines, and he did such work on 20th May 1963 as well as on 23rd and 24th May 1963. Thereafter he could not understand why he should have been marked absent on these days. He also stated that he requested the Assistant Foreman to let him go to the Hospital for treatment but the same was refused on 23rd and 24th May 1963. In the enquiry proceedings Shri Wadhwa gave evidence that on 20th May 1963, he instructed Shri Satai to carry out his normal duties which he refused to do on the ground that he had pain in his stomach. Shri Wadhwa told him that in that case he should go to the hospital and get the necessary treatment, which Satai did. On his return from the hospital he was given the same job which he refused to do; but what transpired at the hospital is not stated by Satai. If the hospital visit helped him, he would, no doubt, have referred to it. On 22nd, 23rd and 24th May 1963, Satai was again asked to do the same job but he refused, and on these days he did not make any complaint about pain in the stomach. The Enquiry Officer had put some questions to Satai to which he replied that he had been sick for nearly a week, and had recovered and was working for 4 days, when on 20th May 1963, again he got pain in the stomach. He did not report sick again because if he did so he would not have earned any wages. On 22nd, 23rd and 24th, he did the cleaning and pushing of the tubs without any instructions to do so. He had been working on his job for a period of 3 years out of 4 years service.

2. The enquiry was held by the Enquiry Officer and in his report he found Satalal guilty of the charge and recommended that he be suspended for 10 days without wages. The proper authority having gone through the enquiry papers concurred with the view of the Enquiry Officer and suspended Satalal from duty for 10 days without wages. On 2nd October 1964, Satalal filed a statement in these proceedings in which he has stated that he was suspended for 10 days because he requested that he should not be put on the job of putting pressure against the hammer as he had pain in his stomach. \* \* \* "Apart from him and Shri Lalmani, there were 6 other workers available and they were willing to take up the work in order to relieve them" \* \* \*. The insistence of the departmental heads to extract the work from these two when others had volunteered was nothing but an act of vindictiveness and misuse of power and authority." He admits that he did not sign the proceedings of the enquiry because he says the enquiry was nothing but a mockery of the word enquiry, as the so-called enquiry officer was himself the Prosecutor and the Judge who openly sided with the management. During the course of his examination he said that it was not correct that the record of evidence was read out to him or that he said it was correct. He refused to sign the proceedings as his evidence was not read over to him. He called Kalloo as his witness but he alleges he was kept out of the room when Kalloo was questioned; he does not know why he was sent out and he did not object at that time. In cross-examination he agreed that he had taken the charge-sheet to the Union to prepare his replies and the Union prepared it. He was told by the union that he would have to be present at the enquiry with his witnesses. But the union did not tell him that he would be permitted to examine his witnesses and cross-examine the company's witnesses. He did not think that at the enquiry he would be permitted to examine his witnesses; he did not cross-examine the company's witnesses and took with him only one witness. He did ask Wadhwa some questions in cross-examination and Wadhwa signed the statement. This statement was read over to Wadhwa in English and not in Hindi, and he (Satalal) refused to sign the statement because it had not been read over to him. He also wanted to take away the statement to have it explained to him, but that was refused. The next day his witness Kalloo was examined. He goes on to say that he refused to sign the proceedings because the evidence had not been read over to him in Hindi. As regards his witness Kalloo he (Satalal) was asked to go out while his witness Kalloo was being examined. But his union did not complain about his exclusion while his witness was examined. He did not complain to the Union about the Enquiry Officer not reading over and explaining to him his statement, but witness added: "It has become customary for persons against whom an enquiry is being held to refuse to sign the proceedings. I do not know why it has become a custom." In re-examination he volunteered: "I personally did not follow the custom when I refused to sign."

3. As against this, the Administrative Officer who held the enquiry has been called and has given his account of the progress of the proceedings as recorded. According to him the witnesses gave their statements in Hindi. The questions were put to witnesses in Hindi and answers were all given in Hindi. Simultaneously with the evidence being given in Hindi, the English translations were recorded. Satalal's statement was read out to him in Hindi, and he was asked to cross-examine and the answers which were given in Hindi were recorded in English and again read over in Hindi. As regards his questions put to Satalal he says that the questions and answers have been correctly recorded. Each question and answer was read out to Satalal in Hindi. He admitted their correctness but refused to sign. This witness denies that he made a mockery of the enquiry or sided with the management. Similarly this witness has answered questions as regards general allegations of Lalmani made by the union. Lalmani did not appear in these proceedings nor did he give evidence. In answer to Mr. Chougule, witness said that he followed the usual practice of recording proceedings in English. He denied that at the hearing he had excluded either Satalal or Lalmani when the evidence was being recorded.

4. Mr. Chougule on behalf of Satalal has contended that the findings and recommendations of the Enquiry Officer lacked the necessary ingredients of a legitimate finding by an Enquiry Officer. As to this, at the time of the enquiry two witnesses were examined to prove the complaint and Satalal produced one witness. Satalal did not give any statement but relied on his explanation dated 29th May 1963, given by him in reply to the charge. It is thus necessary to refer to that letter of 29th May 1963. In that letter Satalal *inter alia* stated as follows:—"As I was not feeling well and had some trouble in my stomach I requested the Assistant Foreman first and then the Assistant Mechanical Engineer to please permit me to work elsewhere as I was not in a position to undergo a heavy strain

due to the trouble in my stomach. On my request the Assistant Mechanical Engineer was kind enough to permit me to work in pushing tubs and cleaning the machines. According to the instructions I carried out the job on that day as well as on 22nd, 23rd and 24th. All these days I have worked and I did not find any reason why I should be marked absent. I also requested the Assistant Foreman to permit me to go to the hospital for treatment but the same was refused to me on 23rd and 24th May 1963." It is pertinent here to observe that during the course of enquiry Satailal admitted that he worked on 22nd, 23rd and 24th on pushing tubs and cleaning machines but without any instructions to do so. Furthermore Shri S. D. Wadhwa, the Assistant Foreman referred to, was asked in cross-examination by Satailal: "Have I asked for a gate pass on 22nd, 23rd and 24th for going to hospital and the same was refused?" Wadhwa answered: "It is not correct. You had not asked for a gate pass on 22nd and 23rd May. You had however approached me at about 4-30 p.m. on 24th May for a gate pass and I told that your shift will be ending at 5 p.m. and no gate pass could be issued at that hour. Moreover I told that as you are merely sitting idle without doing any work, so requesting to get a gate pass does not arise." Another question put by Satailal to Wadhwa was: "Did I not ask you to give me some other work". Answer: "No" Question: "Did I not clean the pedestal that is tub wheels on these days". Answer: "No. No such instructions were given to you and you did not work also." Thus there is nothing wrong in the manner in which the Enquiry Officer has dealt with the subject and recorded his findings and conclusions. It was admitted by Satailal that on 22nd, 23rd and 24th he had declined to do the work which was legitimately asked to do, and it is also admitted by him that he did not mention anything about his stomach trouble on 22nd, 23rd and 24th. His case at first was that on 22nd, 23rd and 24th the Assistant Mechanical Engineer accepted his plea of ill health and allowed him to do some other, but later Satailal had been obliged to admit that he did not mention anything about the state of his health on these three days, because according to him if he did say he was ill he might have lost his wages. The findings and recommendations have to be read in the light of the enquiry itself. If there were irregularities during the process of the enquiry it is strange that the union should have passively stood by all the time.

5. It has been urged that the reasons given by the Enquiry Officer are not all satisfactory reasons. I do not agree; the facts had been clarified by Satailal himself; and even if it is argued that the Report of the Enquiry Officer might have been more ample, there was no basic error in approach nor are the conclusions perverse. Of course an enquiry must not be an empty formality; but here the reasoning germane to the matter flows from the evidence.

6. I have carefully examined the proceedings as recorded as to both the workmen. I do not believe that there was any irregularity in or about the holding of the enquiry or that there are grounds on which the enquiry can be challenged. The facts relating to the enquiry are simple. In fact Lalmani has not even appeared to give evidence to substantiate his charge. In my opinion the enquiry was fair, and did not violate any principle of natural justice. The proposed punishment was not excessive and did not show any vindictiveness. In fact the charge of vindictiveness had to be abandoned in the light of the workman's admissions. This issue is answered in the sense that there are no grounds on which the domestic enquiry which was held and as a result of which the suspension orders were passed, can be assailed. The two workmen are not entitled to any relief.

#### Issue No. 7:

"Whether Sarvashri Sitaram and Halkeyram, First Class Boiler Attendants, have been required by the management of the said colliery to discharge the work of Shift Engineer.

Whether in view of the said work so far done by them, they should be designated as Shift-in-charge Engineers and paid wages in that grade, and if so, from what date?"

In connection with this issue it is a basic fact that Sitaram was appointed as Boiler Attendant on 27th January 1958, and was confirmed as such on 26th July 1959. Halkeyram had been Boiler Fitter prior to 4th April 1958, when he was appointed Boiler Attendant and was confirmed in that post on 4th July 1959, with effect from 1st April 1959. There are no other appointment orders concerning them.

2. The issue now raised is confined to the period after 1st January 1962, but what had happened previous thereto is relevant as throwing some light upon the character and validity of the claim here made.

3. On 4th January 1961 a claim was made and addressed to the Conciliation Officer (Central) Jabalpur that "M/s. R. Mazumdar, Halkeyram and Sitaram of Power House Department have been working as Shift Engineers since 1956. These cases are different from the cases of monthly paid staff, and therefore, we claim that they may be paid the difference of salaries from the day of award up to date, that means from 26th May 1956, upto 4th January 1961." But in paragraph 21 of the same letter the General Secretary of the Union stated: "M/s. Halkeyram, Sitaram and R. Mazumdar have been wrongfully denied the right of promotion as Shift Engineers. We demand that they may be so posted with immediate effect." In a letter of the Union to the management dated 24th July 1958, Sitaram is shown as one of the Fitters who had been receiving an increment of Rs. 5 in the past, and the claim there was that he might be given grade equivalent to category X of the award. Thereafter on 24th March 1960, an agreement was reached in respect of a number of disputes referred to the Central Government Industrial Tribunal at Bombay. The management and the workmen of Nowrozabad and Kotma Colliery of A.C.C. agreed to sit together with the Managing Director of the company and settle the disputes between themselves within 6 weeks of the agreement. They did come to a settlement dated 2nd February 1961, under the provisions of the Industrial Disputes Act, which they presented to the Central Government Additional Industrial Tribunal at Bombay for filing on record as part of the award in the reference. The portion relevant here concerning this agreement is that both Sitaram and Halkeyram had been categorised therein as First Class Boiler Attendants and their salaries were duly fixed in accordance with the terms of the settlement. There is no suggestion there that they were or had been working as Shift Engineers or that they were entitled to any upgrading re-classification or promotion. It has been said that Sitaram and Halkeyram appeared in this settlement (Annexure 'F') as the result of a mistake. That is not admitted by the company, and there is no evidence on the record to suggest that there was a mistake or what the mistake was or who was responsible for the mistake.

4. For the purpose of the claim made before me Sitaram filed a statement in the form of an affidavit on 2nd October 1964, (the fact that it is not an actual affidavit does not affect the question), and therein he stated:

"In the year 1959-60 the company installed a large water tube boiler and appointed 3 Shift Engineers for their cement works, and immediately I along with Shri Halkeyram claimed through our union for the post of Shift Engineers because till then the company told us that they did not get Shift Engineers and that we were being paid appropriately for the job we were doing and that we were bound to sign log sheets as Shift Engineers. \* \* \* that though I and Shri Halkeyram were designated as Boiler Attendants the company had addressed us as Shift Engineers even before 1959-60 and I shall produce the relevant documents at the time of the hearing. \* \* \* that the Shift Engineers brought by the company were not better qualified than me and Halkeyram and after serving for a year or so the said Shift Engineers were transferred to Cement Works, and even then the company did not give us the posts through we were performing identically the same jobs. Therefore performing the jobs of the Shift Engineers we were being paid the wages of Boiler Attendants."

5. Unless the plea of mistake is accepted, it must be taken as a matter of fact that at the time of agreement between the concern and the workmen, Sitaram and Halkeyram agreed that they were correctly designated as First Class Boiler Attendants and accepted the grade and scale of wages as shown in that agreement, which means the company's grade of Rs. 80—148. Neither Sitaram nor Halkeyram has said that there was any mistake when this agreement was signed on 2nd February 1961. This means that even if they had claimed to be Shift Engineers and entitled to that grade, they had accepted their categories as First Class Boiler Attendants in the grade shown in the settlement. In this connection the statement in para 3 of Sitaram's statement of 2nd October 1964 is relevant:—

"that in the year 1959-60 the company installed a large water tube boiler and appointed 3 Shift Engineers from the Cement Works and immediately I along with Shri Halkeyram claimed through our Union for the post of Shift Engineers"; the settlement is dated 2nd February 1961.

6. I do not however propose to rest my decision only on this settlement.

7. Before me Sitaram gave evidence but not Halkeyram. He produced a circular Ex. 35C which is signed by the Agent, and which has an endorsement on the left: "Shift Engineers to comply with the circular." It is said that Sitaram is one of the persons who were shown the circulars and the others were Sugur, Garg and Mazundar. The circular is a short one to the effect that unauthorised persons had been allowed to enter power and boiler houses which was irregular; it was therefore notified that anyone who wanted to see the power house must obtain written permission from the Agent or the Manager. The Power House Shift Engineer would see that no person without proper permission is allowed to enter the power house. The singular "Power House Shift Engineer" signifies a single Shift Engineer. On the other hand at the left hand top corner it is stated "Shift Engineers to comply", but it is pointed out that the 's' at the end of the word "Engineers" seems to be unconnected with "Engineer" and is a later addition. Apart from this, there were never 5 Shift Engineers at one time and the object of sending this circular to the Boiler Attendants as well as to the persons who were admittedly Shift Engineers like Sugur and Garg was obviously to give a general intimation to the employees who were in charge in or about the power house, and boiler house.

8. The case of Sitaram is that in 1961-62 Garg and Sugur came to the Power House as Shift Engineers, that before they arrived the work which they subsequently did had been done by Sitaram and Halkeyram. Says Sitaram: "In the log sheets we used to sign as Shift Engineers and we have done so even since \*\*\*. I have read upto 4th standard in Hindi. The work I do at present is performed by reason of my practical experience. I was given list of responsibilities. All my work has been stated in Ex. 36L." Later on he resiled from this last statement.

9. Now Ex. 36L is an order issued by the Power House Superintendant on 8th July 1964. It is addressed to all Boiler Attendants and sent to Sitaram, Halkeyram, K. B. Singh and Gokul Prasad. K. B. Singh and Gokul Prasad have not claimed to be Shift Engineers. Ex. 36L states that the Boiler Attendants will be responsible for the work stated therein. In other words the duties as specified in Ex. 36L are to be taken as duties of Boiler Attendants; but it was contended later before me that items 1, 2 and 7 constituted the duties of a Shift Engineer and not of a Boiler Attendant. This view finds no support from the evidence. It has been conclusively established and earlier admitted by Sitaram, that all the items of 36L are the duties of Boiler Attendants.

10. The next exhibit on which Sitaram relies is Ex. 40L which is reproduced below:—

Shri Sitaram

Associated Cement Companies Ltd.  
Nowrozabad Colliery.  
Dated 17th August 1960.

Shift Engineer, Power Plant.  
Nowrozabad Colliery.

As per instructions from the head office you are informed that whenever you feel the necessity to cut off power supply you are to give correct duration of power cut off and detailed reasons of the trouble with the Assistant Manager in the shift to enable them to send complete report to the head office.

(Sd.) TIWARI,  
Power House Superintendant  
Nowrozabad Colliery.

ssb

C. C: Manager for information

C. C: C & M.E. for record.

11. The principal contention is that because of the words "Shri Sitaram" appearing in ink at the top left hand corner, it must be taken that it was Sitaram who was addressed as Shift Engineer, and received the letter as such. Right across this letter are the printed letters "COPY", meaning ordinary copy for the file. At the back of this Ex. 40L are written words "SHREE SITARAM" in capitals. If Sitaram placed such considerable importance on Ex. 40L, it is more than strange that he should not have produced it before me when he was being examined in chief by Mr. Chougule. Actually Ex. 40L was produced by Mr. Chougule during the cross-examination of the Manager of the Nowrozabad Colliery (Shri Chaturvedi) who was asked in the middle of the cross-examination whether

he was not in a position to recognise the signatures of the Power House Superintendent on Ex. 40L. He did not recognise the signature. It is admitted that Sitaram was educated up to 4th Standard in Hindi. Shri Nanavati, advocate for the company, thereupon questioned the source of production of this Ex. 40L, and Mr. Chougule explained that it was issued to Sitaram, although he could not say why Sitaram did not produce this letter earlier. Shri Chaturvedi, the Manager of the Colliery, said that there was a practice of filing the copies of the letter, and according to him Ex. 40L should be in the file of the Manager or in the file of E. & M. E. or Power House Superintendent. At the request of Mr. Chougule I sent for Shambhoosinh Berman, who is a clerk in the Engineering Department at Nowrozabad working under the Chief Maintenance Engineering. He said that Ex. 40L was signed by the Power House Superintendent Tiwari. "ssb" signifies himself. The words "Shri Sitaram" are not in his handwriting. It is possible that the words "Shree Sitaram" in capitals at the back of 40L were written by him, and after a careful scrutiny of these words this witness wrote the words "Shree Sitaram" in capitals on a separate piece of paper. The Peon Books are in his charge. It is the practice that after folding the letter the letter is sent to the Officer who is supposed to sign for it. He agrees that the words "Shree Sitaram" at the top left of Ex. 40L are not in the hand-writing of his colleague Pratap Singh who is the other clerk, and he cannot say if it is in the hand-writing of Mr. Tiwari. He was also shown Ex. 46C which he says is not a carbon copy. He admits that he is in charge of the file of the whole department including Power House. He denies that after 19th January 1965, when Sitaram was last examined a copy of the power house letter was removed by him from the office file, which at that time did not contain the words in ink "Shree Sitaram" on the face or on the back of it. He admitted that his own case for gradation was being pursued by the same union which is now appearing for Sitaram. He admits that the file containing the office copy of 40L must be in his office but he did not have enough time to examine all the files; he had previously searched about one hour and did not find the office copy in the files.

12. In my opinion it is not possible to attach any value to Ex. 40L now produced. While the production of Ex. 40L cannot help Sitaram, it does help the contentions of the company, because the letter was addressed to Shift Engineer, Power Plant, and it is in the singular, which clearly indicates that the Power House Superintendent sent the intimation to only one man who was then the Shift Engineer of the Power Plant. In my opinion Ex. 40L has not carried Halkeyram and Sitaram's case any further; although Shree Shambhoosinh Berman brought the Peon Books of the relevant period there was no entry to show the delivery of any letter to Sitaram and Halkeyram on or about the date of Ex. 40L. And Sitaram has not come before me to lend support to Ex. 40L, a very significant omission.

13. Next it has been urged on behalf of Sitaram and Halkeyram that as they had been signing at times in the daily log in the cage intended for the signatures of the Shift Engineers, it must be regarded as indicating that they were in fact Shift Engineers. But an examination of the position indicates that mere signing of the log book in the cage marked "Shift Engineers" does not signify what I am asked to accept.

14. In this connection I should reproduce some portions of Mr. Chaturvedi's evidence which deals with the subject.

15. Mr. Chaturvedi, the manager of the colliery, in his evidence has explained what according to him is the correct position in or about this matter. The Shift Engineer first came on the scene in the following circumstances; when a water tube boiler came from Kistna Works it was commissioned for use in the colliery. But when this boiler was started there was an accident when Sitaram was there as a Boiler Attendant, and 59 tubes were damaged. Up to the time of that accident there was no Shift Engineer, and the Boiler Attendants who used to look after the Boilers and the Boiler plant were under the supervision of the Power House Superintendent. As a result of the accident the colliery had to get another boiler which replaced the damaged one. The colliery at that time asked the head office to send some experienced Shift Engineers who had worked on similar boiler plants. Mr. Chaturvedi further stated that in Ex. 36L the duties of the Boiler Attendant are stated, though the Shift Engineer would supervise them. Ash handling work is done by a mazdoor but the supervision is done by Boiler Attendants. The collection of links would be done by mazdoors but has to be supervised by Boiler Attendant. Coal crushing and transportation would have to be done under the supervision of Boiler Attendant. Transportation is limited to a Conveyor, and any replacement would be done under the supervision of a Boiler Attendant in the Boiler Plant. From 1958-59 onwards Halkeyram, Sitaram, Mazumdar and

Sydney were Boiler Attendants. After Mazumdar and Sydney left, Gokul Prasad and K. B. Singh were promoted in their place and they are still there. Shen Sugur and Garg were Shift Engineers there were 4 Boiler Attendants. The Shift Engineer in addition to supervising the duties and responsibilities of the Boiler Attendants is responsible for the engines, including turbines. He is supposed to know about the maintenance, repairs and working of the machines in the plant. When a fault occurs he must know where to locate it. He is responsible for steam generation, electricity generation and distribution of electricity, whereas the Boiler Attendant is responsible only for the steam generation side. Even in steam generation the degree of responsibility of a Boiler Attendant is less, and the Shift Engineer is expected to be more qualified and more experienced. The present Shift Engineer, Mr. Wadhwa possesses the Government of Bombay's Certificate of Proficiency under Rule 160 as Engineer to be in charge of Steam Engines and Boilers; Sydney has a similar certificate; Garg had 32 years experience as Boiler Attendant and Shift Engineer when he came in 1960.

16. As regards the signing of the log which had to be filled up in the power house at the end of the shift, and in which Sitaram and Halkeyram claimed to have signed as Shift Engineers, Mr. Chaturvedi said that the form had been borrowed from a sister concern of their cement works where Shift Engineers were in fact employed. It is a form required under the law. The form required the stating of information regarding the boilers, turbines and switches, and the form had a cage for the signature of the Shift Engineer who was responsible for the shift. That form also had places for the signature in the three shifts of turbine assistant, Switch Attendant, Condenser Attendant, Fireman I, Fireman II, Power House Superintendent and Chief Maintenance Engineer. Mr. Chaturvedi says that Sitaram and Halkeyram have no knowledge about the working of turbines and have no knowledge of operation of switch boards for the distribution of electricity. It appears that the boiler attendants, switch board attendants, turbine-attendants have indiscriminately signed the cage of "Shift Engineers." Log books were produced, and as an example from March 1959 to June 1959 there are many instances where Switch Board and Turbine Attendants have signed in the cage of Shift Engineers. They did so because there was no special cage for them. In fact before Halkeyram and Sitaram became Boiler Attendants, they were not Boiler Fireman but Boiler Filters. Of course if a Shift Engineer was there he would sign as Shift Engineer; if the Boiler Attendant was there he could sign under the column of Shift Engineer when the Shift Engineer was out. It is the duty of the Boiler Attendant to visit the turbine room once in an hour to see the steam pressure at the end of the steam range before the throttle valve near the turbine. Mr. Chaturvedi goes on to say that the Shift Engineer would be under the Power House Superintendent, and the Boiler Attendant would be under the Shift Engineer if there was a Shift Engineer; otherwise the Boiler Attendant would be under the Power House Superintendent. For the working of Boilers first class Boiler Attendant Certificate would be required or first or second class supervisory certificate. Sitaram and Halkeyram had nothing to do with the electrical side, and the power and boiler houses are separate sections of the whole power plant. While Halkeyram and Sitaram would be going up to the point where steam was used, the Turbine Attendant would look after the working of the turbines. The turbine and switch-board attendants were not working under Sitaram. A new log was started in June 1964, in which Halkeyram, Sitaram, K. B. Singh and Gokul Prasad signed as Boiler Attendants, may be after some initial reluctance. This form does not contain any column or cage for the Shift Engineer. In fact nobody can work as Shift Engineer unless the Manager appoints him by issuing an authorization to the effect that he has to perform the duties of Shift Engineer under the Coal Mines Regulations. Mr. Chaturvedi was shown Ex. 53L which is an authorization to Halkeyram to act as Shift Engineer and it is dated 22nd July 1961. Mr. Chaturvedi explained that it was given to Halkeyram to act as Shift Engineer because he was appointed only for certain emergency purposes. If Halkeyram was in fact a Shift Engineer no such authorization would have been necessary; he was a Boiler Attendant and he was appointed to act as Shift Engineer for the purposes of an emergency like Power House Superintendent being absent. Similar authorizations had been given to Sitaram, and both authorizations Ex. 53 and 54L were issued under the Coal Mines Regulations. And Sitaram and Halkeyram are not the only ones to be so appointed for emergent purposes to be in conformity with the Rules.

17. The signing of the log books in the cage of Shift Engineers, if examined with care, produces some obvious results which cannot support the case of Sitaram and Halkeyram to the effect that because they signed the cage for Shift Engineers they were recognised as such and were Shift Engineers. If because of the signatures of Sitaram and Halkeyram in the cage of Shift Engineers they are to be

recognised as Shift Engineers then Gokul Prasad and K. B. Singh will also have to be recognised as such, in which case there would be 5 Shift Engineers. As shown in Ex. 57C. out of the staff connected with Boiler and Engines Plant. Nos. 1, 2, 3 and 5 are Turbine Attendants. No. 4 was Turbine Attendant and later became Boiler Attendant. No. 6 was Boiler Attendant. No. 9 is Chargehand. No. 11 and 12 originally Fitters and later Boiler Attendants. No. 13 Boiler Attendants. No. 14 Fireman and later Boiler Attendant. Nos. 7, 8 and 10 Shift Engineers and No. 15 Power House Superintendent. Up to 14th June 1959 there was no cage for Turbine Attendants and they have signed in the cage of Shift Engineer. From 15th May 1964, the log books were printed in which there is a specific cage for Turbine Attendants but no cage for Boiler Attendants. The period 1st October 1960, to 13th April 1961, had had 3 Shift Engineers, but nevertheless in the cage of Shift Engineer No. 7 signed 104 times, No. 8, 97 times, Chargehand 107 times, Halkeyram 4 times, Sugur 81 times, Mazumdar 32 times. From 15th October 1961 to 13th April 1962 is the period of the new form. In this period No. 4 Boiler Attendant Gokul Prasad signed 60 times in cage for Shift Engineer. Sugur had left. Garg signed 126 times; Svdney had left; Wadhwa Shift Engineer signed 36 times; Halkeyram Boiler Attendant 130 times, Sitaram signed 144 times; Power House Superintendent 7 times. At that rate there would be 5 Shift Engineers. Next period 14th April 1962, to 2nd November 1962, Gokul Prasad signed 157 times, Garg 142 times, Wadhwa Shift Engineer nil, Halkeyram 56 times, Sitaram 186 times, K. B. Singh 62 times. That would mean 7 Shift Engineers; and so on. If the signature in the cage of Shift Engineers has any weight Gokul Prasad and K. B. Singh have higher claim than Sitaram and Halkeyram. The fact however is that whoever was there signed for the sake of convenience in the only available cage which was the cage of Shift Engineers. They did not become Shift Engineers thereby.

18. It is true that the Shift Engineer is not a statutory necessity but he is appointed wherever such a post is considered necessary as a supervisory link between the boiler and turbine and switch board attendants etc. on the one hand and the Power House Superintendent on the other.

19. In my opinion the claim Sitaram and Halkeyram that they have been and worked as Shift Engineers has no foundation. In fact, they are not qualified to be Shift Engineers, if for no other reason that they do not know anything about turbines and switch boards. There is no instance shown where Sitaram or Halkeyram actually acted as Shift Engineers. No doubt they were empowered under the Rules to act as such in an emergency when the appropriate personnel was not present, but even so no instance was brought to my notice of their having acted in any such emergency.

20. Many concerns like this colliery require a Shift Engineer. The man has to be selected. It is not surprising that the concern should require as a Shift Engineer a person having at least the Second Class Engineer's certificate. A Boiler Attendant is not comparable in knowledge or experience to a Second Class Engineer, and in this case Sitaram's educational attainments stopped at 4th Standard Hindi. I have looked through the Boiler Attendant Rules (first class and second class) as also rules relating to Second Class Engineer's Certificate, and there is a very considerable difference between the qualifications of these two categories. For instance Boiler Attendants cannot per se be eligible for appearing in the Engineer's Certificate Examination. It is true that a Shift Engineer is not a statutory necessity here, but he is appointed whenever such a post is considered necessary as an aid to the Power House Superintendent. If, therefore, a concern requires a Shift Engineer it is for that concern to appoint a suitable person and to decide as to the qualifications required of him; it is obvious that no person whose qualifications and experience are not higher than those of Sitaram and Halkeyram would be acceptable to the company as a Shift Engineer.

The claim fails.

#### Issue No. 8:

"Whether the dismissal of Shri Bedram, Electrical Apprentice of the Nowrozabad Colliery, by the management of the said Colliery with effect from 6th October 1962, was justified?

If not, to what relief is the workman entitled?"

The offence in respect of which the charge sheet was issued is stated in the letter of the Manager dated 22/23rd August 1962: "It is reported that on 13th August 1962 at about 7 A.M. the Watchman Shri Rajeswari Singh, who was on

duty at the gate asked you to show your token before entering inside the gate. You behaved in an indecent way by showing your male organ and told the watchman that 'here is the token'. The Senior Watch ad Ward Supervisor enquired from you about such misbehaviours with the Watchman. You in fact admitted and repeated the same way before him also."

2. In his reply of 23rd August 1962 the charge sheeted workman said "The charges are incorrect, baseless, false and fabricated. On the day in question I had in one of my hands a lantern and in the other hand my working tools. After taking the token I have put the same in my pant pocket. There a number of workers behind me to enter the gate. The Watchman on duty asked me 'Token hai' and I replied by bowing down the head in the affirmative. The watchman picked me up by saying that I should reply by mouth rather than by bowing head because according to him it amounted to my showing him my male organ. I was surprised at the conclusion of the Watchman when he insisted that I should show him the token. I again said by my mouth 'Token hai' and pointed towards my pocket. There was no sufficient time to put down my lantern and tools and show him the token and there was a pressing rush from behind and also from the front of out going workers. The Watchman detained me and called the Watch and Ward Supervisor to whom I explained the position that the Watchman had misunderstood". In answer to me he said: "I was not always asked to produce my token. Throughout my service this was the only occasion when I was asked to produce my token. The same practice prevails in relation to all the workmen that they are not asked to produce the tokens." This is denied by the management. Further on he complains that the proceedings were conducted in Hindi and the record of the proceedings were in English: the witnesses signed their statements; he was asked to sign his statement but he declined as the record was in English. He does not know English. The evidence recorded in English was not read over and explained in Hindi. The allegation of malice against the management was for the first time made when this matter came before me; the workman said that he had resisted transfer from the washery, whereupon his case was taken up by the Union, and in conciliation proceedings it was agreed that he should be appointed as Electrical Apprentice: and thereafter the manager had enmity towards him; and after being made Electrical Apprentice he was not sent to any post. He admits however that another workman, Kunjars, had been raised to Chargehand in the washery even though he had also objected to a similar transfer. It is significant that this allegation against the management, as also the contention that he was singled out to show his token, and that it was not the practice to examine or call for the tokens at the entrance, were first raised in these proceedings before me. They were not put either in the cross-examination of the witnesses called to prove the charge, nor were they raised by the charge sheeted workman when he appeared before the Enquiring Officer. These allegations have been denied; and it cannot be disputed that the watchman is there to check the tokens which is his primary duty.

3. The principal witness against the charge sheeted workman was Shri Rajeshwari Singh, Watchman, who had asked for the token and who had made the first complaint. He stated before the enquiry officer, and I have no doubt about the accuracy of the recording, as follows: "On 13th August 1962 at about 6-45 p.m. while I was on duty at the gate Shri Bedram entered the gate. I asked him to show the token. On this Shri Bedram caught hold of his organ and told me that 'here is the token'. He further questioned me that as to what authority I had in asking him for the token. In the meantime Mr. Viramani, Watch and Ward Supervisor, came to whom I reported and related the incident. In the meantime Shri Bedram also reached there. The Supervisor enquired from Bedram as to what he had told the Watchman. Bedram again demonstrated by holding out the organ and told him as to who was the Watchman and you, the Supervisor, to ask for the token. After that Bedram left. At that time, Firange Singh, my reliever, was also present." This witness whom before the Enquiry Officer was cross-examined by Bedram to whom he replied that he had never had any quarrel with him before: Shri Bedram also admitted that Firange Singh was present at the time of the incident. Before me however this witness has been called as the principal witness on behalf of Shri Bedram, and he went back on his original evidence. He had made the written complaint after the incident which is Ex. 49L, and he wrote it in his own hand-writing, and he repeated what he had written when the enquiry was held. But when he appeared before me he stated that in fact he had been forced by the Havildar to make the report and that the report was untrue: that there was no practice of checking tokens and that it was not his duty to check the tokens every day, and that only Bedram's token was checked on that day; in fact Bedram did not produce his token on that day. In answer to my question as to why he did not insist on seeing Bedram's token he said. "I asked him to

show his token but he forced his way in". His case before me was that his evidence given before the Enquiring Officer was untrue, and that what he actually meant to say was that when Bedram nodded his head towards the middle of his body he, Rajeshwari Singh, felt that he was acting mischievously and thought that he was behaving wickedly towards him. The truth of the matter as I find it is that after Bedram had been dismissed he had been persecuting Rajeshwari Singh with the result that Rajeshwari actually wrote a letter (Ex. 50C) to the management complaining about the harrassment; and his appearance before me to deny the truth of his previous assertions was thus explained. He was giving evidence before me under circumstances of intimidation. I attach no importance to Rajeshwari Singh's *volte face*.

4. There was other evidence too before the Enquiring Officer. The Senior Watch & Ward Supervisor gave evidence which tallied with what Rajeshwari Singh had said; and Watchman Shri Firange Singh also gave the same account of the incident. Thus, apart from Rajeshwari Singh's report and evidence, there was other evidence which had not been shaken.

5. I have no doubt that the enquiry was fair, and that there was nothing done short of the requirements of natural justice; it was not a case of victimization or any vindictiveness in or about the dismissal order; and the fact remains that Bedram would not show his token and forced his way in without showing it. This in itself is part of the corroboration of the incident. I hold that there was nothing wrong or improper in or about the enquiry and there is nothing before me to suggest that the findings of the Enquiring Officer or the orders passed have been vitiated in any way.

6. Mr. Chougule however has raised a question as to the interpretation of the Standing Orders. He bases his contentions on Standing Orders 17 and 18 which are as follows:—

17. No orders of punishment by way of suspension, dismissal or fine shall be made unless the employee concerned is informed in writing of the alleged misconduct and is given an opportunity to explain the circumstances alleged against him. The approval of the Owner, Agent or Chief Mining Engineer of the Company is required in every case of dismissal and when circumstances appear to warrant it that Officer shall institute separate independent enquiries before dealing with the charges against an employee. During the period enquiries are being made on account of alleged misconduct the employee concerned shall be suspended.

18. If on enquiry the order is confirmed or modified, the employee shall be deemed to be absent from duty for the period of suspension and shall not be entitled to any remuneration for such period. If, however, the order is rescinded, the employee shall be deemed to be on duty during the full period of suspension and shall be entitled to the same wages as he would have received if he had not been suspended.

7. The enquiry officer had made his report and submitted it to the Manager saying: "the individual concerned is therefore guilty of the offence and is recommended for dismissal from service." The Manager of the Nowrozabad Colliery thereupon passed his order to the effect: "this person after domestic enquiry has been found guilty and he be dismissed from service after obtaining the Agent's sanction." It is Mr. Chougule's case that as the Manager had passed this order he should simultaneously have suspended the employee under standing order No. 17. The Agent then passed his orders on 27th September 1962 saying: "I have perused all the enquiry papers in connection with the charge sheet dated 23rd August 1962 and agree with the findings and recommendations of the Enquiry Officer. I also agree with the recommendations of the Manager and hereby accord my approval to the dismissal of Shri Bedram from service." It is Mr. Chougule's case on this point that before the Agent passed such an order the workman who had been charge sheeted should have been given an opportunity of being heard by the Agent, and failure to do so has vitiated the enquiry.

8. I do not see how in this case any material advantage or disadvantage could arise whether the charge sheeted workman had been suspended or not suspended between the date of the order of the Manager and the subsequent approval of the Agent. I am unable to agree with Mr. Chougule's interpretation of S.O. 17 or its effects on this case. As to the second point, the order of the Manager was not communicated to the charge-sheeted workman, and in fact there was no obligation on the Manager to intimate to the workman at that stage that he had decided

that the workman should be dismissed subject to the approval of the Agent. The Manager and the Agent have been allotted different roles in terms of the Standing Orders. There is nothing in the Standing Orders to signify that the charge-sheeted workman had the right to be heard afresh by the Agent on the question of guilt and/or of punishment before final orders were passed. The introduction of the approval of the Agent was intended to be an additional precaution to ensure that justice was done; but that does not mean that the charge-sheeted workman is supposed to be heard afresh before the Agent; in actual fact the Agent has the power if he so desires on perusal of the record to institute separate and independent other inquiries before finally dealing with the charge against the employee. If it was intended that the employee should have a second hearing before the Agent the ample Standing Orders would have said so. It must be appreciated that these are domestic enquiries, and the passage of the files from the Enquiring Officer to the Manager and then to the Agent cannot be regarded as being in the nature of appeals. They constitute a series leading to a conclusion; and the transmission of the papers to the Agent must be viewed as the final step in the process of checks and counter-checks to ensure that the workman gets a fair deal. The suggestion that the Agent is an "appellate" authority who may be approached and addressed afresh is in itself a contradiction of the domestic character of the proceedings. (Vide observations of Their Lordships of the Supreme Court in the case of Hamdard Waqf 1962 2 LLJ 772 at 777).

9. Mr. Chougule has also complained about the order of the enquiring officer. He contends that it was short of what an order should be. I accept that an enquiry is by no means a mere formality; but on the other hand the length of the order does not necessarily determine its value. If the offence is a single incident its proof may well be direct and uncomplicated; the two watchmen and the Senior Watch and Ward all confirmed the facts on which the charge was based; and the evidence of the charge sheeted workman and of his witnesses was not deemed impressive; there was thus not much scope or necessity for a lengthy order. The charge sheet had given sufficient particulars of the offence. It may be that the Enquiring Officer could have written a longer decision; but it must be appreciated that the whole record has gone through the fresh scrutiny firstly of the Manager and then of the Agent. No prejudice therefore has been done to the workman concerned, even if it is assumed, as Mr. Chougule says, that the report of the Enquiring Officer is not as full as it should be.

10. I am unable to hold that there was anything in or about the enquiry or in the orders passed which could be said to have vitiated the enquiry or the decision of the management.

The workman's contentions fail, and he is not entitled to any relief.

#### Issue No. 9:

"Whether Shri L. P. Gupta, Stores Clerk, was required to work on weekly days of rest and other holidays during the period 1st January 1958 to 28th February 1962, and if so, whether he is entitled to get any extra wages on this account."

Shri L. P. Gupta was employed as a Clerk in the Stores Department. It is not in dispute that his category was first brought within the purview of the Mines Act for the purposes of overtime wages, weekly days of rest etc. as a result of Government notification of 11th August 1960 when the exemption in favour of employers was revoked, and it is submitted by the company that any claim for overtime wages prior to 20th August 1960 is not sustainable.

2. The first claim made by Shri Gupta is by his own letter of 15th July 1963, a copy of which he sent to his union. His claim for overtime work done on rest days and holidays and the dates and periods are given: in all 110 days are indicated and according to Mr. Chougule the amount payable to Shri Gupta is Rs. 629/-.

3. For the company it is contended that the claim is stale, and that what is time barred by the Payment of Wages Act and the Mines Act cannot be converted into a legitimate claim by way of proceedings as now before me. The claim relates to the period January 1958 to 28th February 1962, but the claim was first made on 15th July 1963. There is substance in these contentions. The claim is stale, and it is correct that the Notification of 11th August, 1960, removed the statutory protection.

4. Subject to the preliminary objections as to the basic validity of the claim on the ground that it is a stale claim and should not be granted, the company's

figures indicate that not more than Rs. 312/- would be due to the workman concerned, as against Rs. 629/- stated by Mr. Chougule.

5. This claim is to a large extent stale, and also unsupported. I think that an *ex-gratia* payment of Rs. 300/- by the company to this employee would meet the ends of justice. Awarded accordingly.

**Issue No. 10:**

"Whether the Loco Helpers employed in Nowrozabad Colliery are entitled to be placed in Category V, and if so, from which date?"

It is contended on behalf of these Loco Helpers that they are in fact performing the duties of couplers, Pointsmen and Signallers, and that the performance of all these duties entitles them to be placed in Category V; that after 1962 the management was paying to the loco helpers the wages of category III. No difference of wages was paid to the loco helpers then; labour therefore urges that the difference between the category V wages and the actual wages paid to them from the dates of their employment should now be given to the workmen.

2. The company contends that the 'Helpers' have been placed in category III of the Coal Award which according to the company is the appropriate and proper category for the workers designated as Loco Helpers. The All India Industrial Tribunal (Colliery Disputes) prescribed category II for 'Loco Mazdoors' whose job description is given as "a man employed in cleaning petrol, diesel and electric or steam locomotives and in oiling and greasing them, attending of stand boxes etc." As however the loco helpers at Nowrozabad Colliery in addition to such duties are also attending the work of coupling of tubs and making of points as part of their duties, the company placed them in the higher category viz. category III with effect from 1st June 1962, which category the company contends is the appropriate category.

3. I do not propose to disturb the categorisation of helpers which is category III under the Mazumdar Award. But I feel that an allowance is indicated. I award an allowance of 9 NP. per day to these workmen when so employed. The first approach to the Conciliation Officer was on 7th September 1964. I give retrospective effect from 1st June, 1964.

**Issue No. 11:**

"Whether the Management of Nowrozabad Colliery of Messrs Associated Cement Companies was justified in reverting Shri Sheikh Latif to work as Miner with effect from 25th February 1963? If not, to what relief is he entitled?"

The principal facts are not in dispute.

2. On 29th September, 1962 Shri Sheikh Latif was appointed as Temporary Miner No. 6 for a period of 3 months ending 2nd January 1963; the letter of appointment is Annexure A. In that letter it was clearly stated:

"You will remain temporary workman until and unless you are made permanent by our order in writing, whether you are working on the same temporary job on which you are engaged or some other jobs in the same department or some other department on temporary or permanent work".

3. Shri Sheikh Latif continued to work as such temporary miner, and on 7th July 1963 along with another temporary miner by name Samalal were asked by the Assistant Manager of Incline No. 6 to work as temporary Trammers for a short while; they were told that they would receive the wages of Miners, which meant category V. during the period they worked as temporary trammers: trammers are in category IV which has a lower level of the wages.

4. On 24th October 1963 both Sheikh Latif and Samalal were asked to go back to their original temporary jobs of miners from the next morning; they lifted their tokens next morning but refused to work as Miners, and stated that they had become trammers and would not work as Miners. Shri Samalal however subsequently agreed to comply with the instructions and did his work of Miner. Sheikh Latif continued to refuse to work as Miner from 25th October 1963 although he lifted his token daily.

5. The Union thereafter took the dispute to the Conciliation Officer (Central), Jabalpur, alleging that Shri Sheikh Latif had been illegally stopped from work from 25th October 1963 and demanding that he should be employed as trammer. There were conciliation proceedings on 3rd April 1964. On this occasion the management without prejudice to its rights was prepared to give an assurance that the first available vacancy of a trammer in the future would be offered to Shri Sheikh Latif provided he agreed to resume work as Miner at once. The Union agreed to advise Sheikh Latif to start work at once as a miner, but without prejudice to his claim for full wages for the intervening period from 25th October 1963 to 19th May 1964 during which he lifted his tokens but did no work.

6. To my mind it is clear that Sheikh Latif had no grounds for refusing to go back to his work as Miner when required to do so after his temporary service as trammer, and his wilful refusal to do the work required of him had no justification. This case has no other merit except that the company in conciliation proceedings agreed to appoint him as trammer at the first available opportunity provided he started work as Miner at once, which he did. No workman can expect to be paid unless he does work for which he had been appointed, and the claim that he had been permanently made a trammer is unsupported.

7. He is not entitled to any relief under this issue.

**Issue No. 12:**

"Whether the Trammers employed in the Colliery are entitled to any relief on account of work of coupling, signalling and setting of points etc. done by them in course of their duties? If so, to what extent, and from what date?"

The work done by the Trammers of this Colliery by way of coupling, signalling and setting of points etc. in the course of their duties is of a limited character.

2. For the company it is urged that there were two previous classification settlements, one by consent award of 10th June 1960, and the other of 29th July 1962, whereby in substance the same dispute as here had been previously settled, and that no fresh classification was indicated. Mr. Chougule says that is not correct, and that in any event the award of 10th June 1960 has been terminated from 1962, and that after 1st May 1962 there would be no estoppel arising out of the settlements. The other settlement I understand remains in force and of course an award as to categorisation and classification has more than an ephemeral effect.

3. Mr. Chougule has asked for Cat. V wages for these underground trammers who are required to do the additional work of coupling, signalling and points setting. He points out that correctly speaking they should be given Cat. VI, but the category of the surface and underground trammers is Cat. IV.

4. The company had carried out time and motion studies concerning the work done by these trammers. In connection with the coupling, signalling and setting of points it is contended that the amount of work done by them occupies merely a fraction of the time of the shift. The time and motion study has been challenged by Mr. Chougule, but notwithstanding such a challenge it is apparent that these specified functions entail little work and limited time. In actual fact, this additional work is not done by any particular section of the trammers; it is done by rotation by all the trammers limited to about one fifth of the total number at a time. Therefore this is not a case where a particular body of trammers have been set apart for this work and are entitled to specific relief. In other words the work is spread out among all the trammers, and if any rise in wage or any grant of allowance is to be considered it will have to be considered *en masse* for all the trammers.

5. As I have said before, Mr. Chougule claims Cat. V for these trammers doing this job. Cat. IV which is the category applicable to trammers generally starts at 1.25 and rises by 0.09 to 1.79. Cat. V starts at 1.31 and rises by the same increment of 0.09 and ends up to 1.85.

6. On the facts it appears that all these trammers at some time or other do the work of job description 92 plus some work of job description 95 as given in the Mazumdar Award; on an average 54 trammers out of 240 in any single day would do for part of their time the work of signalling, coupling and point-making. As to persons covered by description 95, the Mazumdar award has placed them in Cat. V, but the Labour Appellate Tribunal gave them Cat. VI; and Cat. VI starts on 1.37 and ends at 1.97.

7. Mr. Nanavati has suggested that 3 nP should be given as allowance to all the trammers working in this colliery because of the additional work done by some of them every day by rotation. The question is whether it should be 3 nP allowance to everybody or something more, having regard to the facts.

8. Mr. Chougule has asked for retrospective effect from 1st June 1962 but Mr. Nanavati points out that the date should be 2nd May 1964.

9. Having regard to all these facts and circumstances I hold that all the trammers of this colliery when doing their duties as above should get an allowance of five naye paise per day by reason of the fact that in this colliery a stated proportion of the trammers daily perform at some time during the shift the functions of coupling, signalling and setting of points etc. while working as such trammers retrospectively from 1st June 1963—awarded accordingly.

(Sd.) F. JEEJEEBHOC.

Arbitrator,

[No. 8/110/64-LR.II.]

**S.O. 808.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Shri Kanhaiya Singh, Arbitrator, in the industrial dispute between the employers in relation to the Bengal Jharia Colliery, Post Office Khas Jeenagora, District Dhanbad, and their workmen, which was received by the Central Government on the 1st March, 1966.

**BEFORE SHRI KANHAIYA SINGH, CHAIRMAN, STATE LAW COMMISSION,  
GOVERNMENT OF BIHAR, PATNA—ARBITRATOR**

In the matter of reference by Agreement, dated 5th January, 1966, under Section 10A of the Industrial Disputes Act, 1947.

BETWEEN

The Employers of the Bengal Jharia Colliery.

AND

Their Workmen, represented by—

- (a) The Colliery Mazdoor Sangh, and
- (b) The Koyla Mazdoor Panchayat.

AWARD

*Dated, the 26th February 1966*

On the 30th November, 1965, the Bengal Jharia (P) Ltd., (hereinafter referred to as the Management), served the workers with a notice to close the entire undertaking with effect from the 1st January, 1966, on account of the unavoidable circumstances beyond its control and offered to pay them compensation as laid down in the proviso to sub-section (1) of Section 25-FFF of the Industrial Disputes Act, 1947, (hereinafter referred to as the Act). The reasons in justification of the closure are set forth in the said notice. The workmen represented by the aforesaid two Unions raised a dispute before the Conciliation Machinery of the Government of India with regard to both the closure and quantum of compensation. Discussions and negotiations followed and eventually a settlement was reached on the 30th December, 1965, which set at rest the dispute with regard to the closure of the mine. With regard to the quantum of compensation, the parties agreed to refer the said dispute to the sole arbitration of an agreed Arbitrator.

On the 5th January, 1966, the Management represented by Shri Rasiklal Worah, Director of the Bengal Jharia Colliery Co. (P) Ltd. and the workmen represented by Shri B. P. Sinha, Vice-President, Colliery Mazdoor Sangh, Dhanbad, Shri Shankar Bose, Secretary, Colliery Mazdoor Sangh and Shri Hit Narayan Singh, Vice-President, Koyla Mazdoor Panchayat, Jharia, executed an agreement to refer the industrial dispute to the arbitration of myself, which agreement was published in the Gazette of India, dated the 5th February, 1966 under Sub-section (3) of Section 10A of the Act (*vide* S.O. 406, dated the 27th January, 1966). Initially, the award was to be submitted within twenty-one days of the agreement, but by mutual agreement in writing, the date has been extended to 28th February, 1966.

The Management pleaded from the very beginning that the unavoidable circumstances beyond its control forced the closure of the concern, and, therefore, the workmen were not entitled to compensation more than what was prescribed by the proviso to Section 25-FFF(1) of the Act. On the other hand, the stand

taken by the workmen was that the reasons given by the Management for the closure of the Colliery did not warrant the application of the said proviso; and, accordingly, the workmen cannot justly be denied the full amount of compensation permissible under the law, i.e. under Section 25-F(h) of the Act. Thus the dispute lies in short compass, namely, whether, in view of the facts and circumstances of the case, the workmen are entitled to compensation under Section 25-F(b) or proviso to Section 25-FEF(1) of the Act and is in the following terms:—

“Whether on account of the closure of Bengal Jharia Colliery and consequent termination of services with effect from 1st January, 1966, the workmen are entitled to compensation as provided for under Section 25-FFF or Section 25-F of the Industrial Disputes Act.”

The reasons which impelled the Management to close the entire undertaking and terminate the services of the workmen, as stated in the notice, dated 30th November, 1965, are as follows:—

- “(a) The overlying goaves of 11-12 seam above 10 seam are on fire and are full of water. The development works in 10 seam Top and bottom are complete and cannot be depillared without exposing the mines to further fire and inundation.
- “(b) Even the small quantity of coal of 9 seam and Seam No. 8 will not be available for extraction till splitting in 10 seam is completed after complying with the various conditions imposed by the Department of Mines.
- “(c) The depillaring of panel D of 7 seam top is complete. Further development to the Dip is not a feasible pronosition due to water logging in upper seams.
- “(d) The present working Section of No. 1 to 5 combined seams has already touched a fault and the depillaring of this combined seam cannot be carried out unless 6 seam is depillared, which cannot be undertaken as coal of 6 seam is unmarketable and abandoned earlier.

There are also various other mining difficulties. The Management is also incurring heavy losses.”

Both the parties have filed their respective statements of the case. So far as the Management is concerned, their written statement is simply an amplification and elaboration of the aforesaid reasons for the closure. Two written statements have been followed on behalf of the workmen, one by the Colliery Mazdoor Sangh, Dhanbad, and the other by the Koyla Mazdoor Panchayat. The grounds in the two written statements on behalf of the workmen are more or less identical. According to them, the risk of fire and inundation and the expenses involved in overcoming them are all incidental to the business of coalmine. They are not peculiar to this Colliery. Similarly, the statutory precautions in the safe conduct of the coal mining business are equally essential to any Colliery. It is stated that the fire and water referred to above have been there for more than ten years. Protective measures with the assistance of the department of Mines, as are generally resorted by other Collieries also, could have been equally taken by this Colliery in order to protect Seam No. 10 from fire and inundation. It is alleged that even according to the Management, there is adequate quantity of coal standing at Pillars in 7 Seam Top except in Panel D. It is wrong to say that the present working section of Seams 1 to 5 combined has already touched a fault blocking further operation and the depillaring of this combined Seam cannot be carried out unless 6 Seam is depillared. It is equally incorrect to say that the coal of 6 Seam is unmarketable.

Their further case is that on 12th June, 1961, the Management extended its area of operation by amalgamating the nearby Shri Commercial Colliery of M/s East Madhuban Coal Co. Ltd. with the Bengal Jharia Colliery and naming this combined business as the Bengal Jharia Colliery Co. (P) Ltd. This amalgamation nearly doubled the area of the Bengal Jharia Colliery as well as the number of workmen employed in it. After amalgamation ten thousands tons of coal was despatched per month. The re-organisation of the working of the two amalgamated Collieries effected great economy so much so that 130 workmen had to be retrenched in January, 1962. Thereafter in 1962, 1963, 1964 and 1965, the Management was engaged in the mining operations in two inclines, three pits and one quarry. Even though the retrenchment reduced the strength of workmen by about 15 per cent, there was no appreciable reduction in the production and despatch of the coal. As a result of further rationalisation, 118 workmen were again retrenched with effect from 28th October, 1965. Side by side this rationalisation, the Management was trying all the time to add to the assets and value of the

Colliery and pursuant to this policy, the Management undertook and completed ambitious programme of constructing houses, 64 standard houses and 72 low-cost houses at a cost of nearly two lakhs and ninety thousand rupees under New Housing Scheme and Low-Cost Housing Scheme respectively for coalminers. This huge amount was obtained from the Housing Board of the Coalmines Welfare Organisation. It is stated that these funds are advanced to the Collieries by the Housing Board under a contract which provides for their use for forty years. It is also alleged that, in the second half of 1965, the Management shifted the Pit Head Baths and the Central Workshop to a new site on the Colliery.

It is urged that by a letter, dated 19th November 1965, the Management communicated to the Panchayat its intention of re-constituting Statutory Works Committee under the Industrial Disputes Act, the terms whereof is two years, which militates against sudden closure due to unavoidable circumstances.

Their further case is that, prior to 31st December, 1965, the Management was equipping No. 7 Seam for depillaring operations by laying tracks at a considerable cost. With a view to extract coal from No. 7 Seam bottom, the drift was cut from 7 Seam Top to 7 Seam bottom in the first half of 1965 at an estimated cost of rupees one lakh. It is alleged that there are huge quantities of coal standing in pillars of Seam No. 7, Seam No. 6 and Seams Nos. 1 to 5 combined. Besides, there is a Zero number Seam in this Colliery which has not been touched at all. It is said that the combined quantity of coal in these Seams far exceeds the coal which has been taken out so far by the Management from this Colliery. It is contended that when the closure is considered against the background of these facts, it is evident that the difficulties mentioned by the Management in the notice of November 30, 1965, are not such as cannot be removed or overcome by proper management and precautions, that the financial considerations and profit motive weighed more with the Management in closing the mine and that the excuse of unavoidable circumstances has been trotted out to deprive the workmen of their legitimate compensation.

It will be seen that the sole point for consideration in this case is whether the undertaking was closed down on account of unavoidable circumstances beyond the control of the Management.

Before I proceed to deal with this question, I may state that the condition of the Colliery on the 31st December, 1965 when it was closed down, will appear from the Inspection Note jointly recorded by the representative of the workmen the representative of the Management and the Inspector of Mines, who had been very kindly deputed by Shri G. S. Jabbi, Chief Inspector of Mines, to assist us. marked annexure "A" to this Award. In the presence of the representatives of the workmen and the Management and the said Inspector of Mines, I held local inspection. I, however, did not go underground as it was not necessary. The representatives of the workmen and the Management accompanied by the Inspector of Mines went around the Colliery and recorded the agreed Inspection Note above stated detailing the condition of the Colliery as it existed at the time of the inspection, which more or less must be the condition also when the Colliery was closed down, i.e. on the 31st December, 1965. It was stated, and not desired by the Management, that subsequent to the closure, a part of the mine was deliberately flooded by the Management though the understanding between the parties was that the *status quo* would be maintained pending adjudication of the dispute.

In support of its case, the Management has examined only one witness, namely, Mr. P. G. Gokhale, who is employed by it as Mining Expert. His evidence considered as a whole in the light of the circumstances of the case does not prove that unavoidable circumstances beyond the control of the Management necessitated the closure of the Colliery. The seams that were being worked immediately prior to the closure were Seam No. 9, i.e., 10 Special, Seam No. 8 and Seams Nos. 1 to 5 combined. Seams Nos. 11 and 12 had already been quarried and closed and also inundated under instructions of the department of Mines. As regards 10 Seam Top and Bottom, Mr. Gokhale deposed that the development had been completed and it was not possible to depillar it on account of overlying water in the upper seams and the danger of fire spreading and premature collapse. This is exactly the reason number one for closure. It is stated that overlying goaves of 11-12 Seams above 10 Seam are on fire and are full of water and that development works in 10 Seam Top and Bottom are complete and cannot be depillar without exposing the mines to further fire and inundation. It is in evidence that water logging is a common feature of the coalmining and is not peculiar to this Colliery alone. Witnesses on behalf of the workmen have deposed that the fire and water are there for more than ten years and there is nothing to contradict their statements. So, inspite of the existence of water and fire in 11-12 Seam, the coalmining operation was carried without any serious impediment. It appears that, in

October, 1962, the Management asked for permission for simultaneous extraction of pillars in two sections of 10 Seam. This permission was accorded by the Chief Inspector of Mines by his letter, dated the 27th November 1962 (Ex. M-2) subject to the conditions laid down therein. Again, in September 1963, at the request of the Management, the Chief Inspector of Mines gave permission to split pillars as a final operation in the Top and Bottom Sections of No. 10 Seam in the area shown on the Plan, dated the 22nd October, 1962, subject to the conditions laid down therein. These conditions were not fulfilled by the Management. Mr. Gokhale has deposed that it is impossible to comply with the conditions numbers 1 and 3 of the letter, dated the 16th September, 1963 (Ex. M-1). According to him, the quantity required for fulfilling the condition was to the tune of 4 to 5 lakhs cubic ft. of incombustible material which was not readily available near the pits and had to be blasted, broken into pieces and transported to under ground and unloaded under ground and carried by head-loads to the site of packing. It is evident that Mr. Gokhale has exaggerated the difficulty in complying with the conditions of the department of Mines. It is inconceivable that the department of Mines will lay down conditions which were impossible of performance. Any way the Management has not given facts and figures to show what was the cost involved. In fact, Mr. Gokhale also admitted that he did not calculate the cost. There is another significant fact which demolishes the validity of this ground. It is admitted that the pillars at Seam 7 Top have all been extracted. This Seam is obviously below Seams Nos. 11 and 12. It is remarkable that the fire and water in upper seams did not obstruct the working of the 7 seam Top. The Management relied upon a letter of the Mines Department, dated the 4th January, 1965 (Ex. M-8) to show that permission to extract pillars in 7 Seam Bottom had been refused. This refusal does not at all support the case of the Management as refusal was due to the Dip side in this Seam remaining to be developed. Hence the evidence of Mr. Gokhale that the Department of Mines prohibited the splitting of pillars is not accurate. The evidence has it that, in other Collieries, mining operation is in progress though there is inundation and fire as in this Colliery. In my opinion, the existence of fire and water do not present insurmountable difficulty in working the mines. It cannot, therefore, be accepted as correct that 10 Seam Special i.e. 9 Seam cannot be depillared. This situation was brought about by the Management itself as they did not fulfil the conditions of the Mines Department and did not provide protective walls.

The second reason in the notice for closure is equally unsubstantial and destructive of reason "A". This ground in effect concedes that the small quantity of coal in Seams 8 and 9 could have been extracted had 10 Seam been split up. As discussed above, no unavoidable circumstances prevented the working of 10 Seam special. Thus this ground is equally untenable.

Coming to the 3rd ground i.e. reason (c) in the notice, it is implied in this ground that there is enough quantity of coal standing at pillars in 7 Seam Top except in Panel D. It is said that further development to the Dip is not a feasible proposition due to water logging in upper seams. There is no force at all in this ground as well. Water logging has not proved an obstacle in this Colliery, nor in other Collieries, and, despite inundation and fire, mining operation has been carried on smoothly here and also elsewhere. This is not a reason which the Management could not, with proper husbandry and a little cost, have avoided.

As to Seam No. 8, evidence of Mr. Gokhale is that, unless upper seams above Seam No. 8 are cleared, Seam No. 8 cannot be depillared. He has further stated that overlying goaves are also in unsettled position and hence it is not permissible to depillar Seam No. 8. In the Joint Inspection Note, it is stated:—"Development in the midbarrier was completed except for drivage of 242'. Depillaring permission for an area 600' x 650' to the rise of J.G. Rly. line is in hand. Work can, however, be undertaken only when upper seams are depillared in sequence." It is however stated that only a small quantity of coal, about 650 tons is available in the drivage of 240' in Seam No. 8. It is evident that the working of Seam No. 8 was quite feasible and, as demonstrated above, the Management was solely to blame for not depillaring upper Seams in sequence in order to facilitate the operation of this seam.

Six Seam was abandoned in June 1964. The Plans of abandoned and discontinued mines (Ex. M-5) shows that the abandonment was due to fault in the Dip side near the D.B. Road and lack of market for the particular grade of coal. No work was done in this Seam at the time of closure. The case of the Management is that after the working in this seam had touched a major fault, it tried without any success to ascertain the throw of the fault but the same could not be done as the strata on the rise side and dip side of the fault did not conform to each other. It is further stated that the quality of the coal towards the fault was

ungradable. On this point also, the evidence is most unsatisfactory and falls short of proving the unworkability of the mine due to intervention of unavoidable circumstances. Mr. Gokhale stated that the coal was ungradable. At the same time, he stated that the coal raised from Seam No. 6 during the year 1964 was not in stock. He is not quite definite about its disposal. In his opinion the coal might have been sold. Further it might have been used for Colliery Boilers or house-hold consumption. One would expect a record of the Colliery department to show how the coal of this seam was utilised. The statement of Mr. Gokhale cannot be accepted *in toto* because it is imprecise. He is not quite sure how much was used in boilers in household consumption and how much was sold. The fact, however, remains that it has been consumed somehow or other. The evidence on behalf of the workmen shows that the entire coal was sold off. There is no evidence to show that the department of mines withdrew the grade. The coal of this seam could not have been marketed the possibility of which is not excluded even by the evidence of Mr. Gokhale had it been ungradable. It must be held, therefore, that the Management has failed to establish that the coal of this Seam was ungradable.

With respect to the major fault, according to Mr. Gokhale, the major fault is one whose throw is not known and cannot be overcome easily. This major fault has been shown in the geological map relating to this Colliery. There is no evidence worth the name to prove that this fault was not removable. Mr. Gokhale has admitted that faults are general features of the Colliery. He has further conceded that there was no thorough scientific examination of this fault. His evidence is to the effect:—"We have just touched it but did not try to assess the width of the barren ground. We did not try to find out whether the coal Seams have been thrown up or down". His evidence, therefore, is wholly insufficient to establish that this major fault could not be overcome and created insurmountable obstacle in the working of the mines. This fault is shown in the geological map of India also. Still the Management failed to examine any expert of the department of Mines to prove that this fault constituted a major and unconquerable barrier. It is said that there is still a large quantity of coal on the other side. It will be a national loss to allow any quantity of coal to be wasted for want of proper management and money. I do not, therefore, accept the proposition that this major fault prevented the working of Mines.

Again, the written statements of the workmen and the evidence adduced on their behalf show that all the adjacent Collieries are working Seam No. 6. There is no reason to disbelieve their evidence. As stated above, the reasons given by the Management are hardly cogent to prove the unworkability of this mine.

Thus this reason also falls to the ground.

The last reason relates to the working of Seams Nos. 1-5 combined. The case of the Management is that because of the existence of a fault and the difficulty of depillaring of this combined seam as the depillaring of Seam 6 had not been carried out, this combined Seam could not be worked. The combined Seam 1-5 and Seam No. 6 are inter-connected and when seam no. 6 could be operated, as found above, there is no justifiable reason for stopping the working of this combined seam. I have already discussed that the alleged major fault constituted no hindrance. It will appear from the Inspection Note that just before the closure about 20 pick faces were available and being worked. Mr. Gokhale has explained it by saying that in 20 pick faces a maximum of 40 miners could be engaged per shift and the working was likely to last for 22 days only. His evidence does not disclose the basis for this assertion. I would expect demonstrable facts and figures to prove that working of this mine is not likely to last beyond 22 days. The hard fact however remains that stoppage of the working of this mine was wholly unjustified. It will thus appear that the last reason also has no force.

Another significant fact is that Zero Seam has not yet been exploited. The written statement of the Management shows that this Seam had not been proved in the property. The evidence of Mr. Gokhale is that we have not touched the Zero Seam in the property and in touching it, a new mine will have to be sunk which will take three to four years and even so the coal will have to be graded and thickness determined. The Management's document (Ex. M-7) which is a section of strata at Bengal Jharia Colliery (not to scale) shows, and Mr. Gokhale has confirmed it, that from the Bottom of No. 1-5 Seam combined 36 ft. below is Zero Seam. Thus the Management has admitted the existence of Zero Seam. The evidence of Mr. Gokhale further is that there is a mark of bore hole on the Plan in the Fifth level in the main haulage drift. Of course, he could not explain the existence of this bore hole as it was made before his time. The Inspector

Note also states that a bore hole was shown on the Plan in the fifth level in the main haulage Dip which was unapproachable as it was under water. The Management did not try to find out from its records the result of the bore hole of the Zero Seam. There can therefore be no doubt whatsoever that there is a Zero Seam in this Colliery. The evidence of Maulvi Mohammad Ishaque, Overman of the Management, Witness No. 3 for the workmen, shows that the bore hole was made to touch the Zero Seam coal but the Management decided to keep that work pending till a future date. There is nothing to contradict his statement. The water in the mine is not a problem because it can be easily drained off. All these facts show unmistakably that there is a Zero Seam in this Colliery and the Management has, without cogent reasons, stopped the working of this mine.

There are other admitted or proved circumstances of the case which are wholly inconsistent with the reasons advanced by the Management for the closure of the Colliery and re-enforce the conclusions I have reached above. In 1965, the Colliery produced approximately 110,730 tons of coal (vide Mr. Gokhale's evidence). I fail to understand how there was such a sudden depression that no coal could be produced in the year 1966 demanding closure of the Colliery.

Secondly, it is stated in the written statement of the workmen that by a letter dated 19th November, 1965, the Management communicated to the Panchayat its intention of re-constituting the Statutory Works Committee under the Industrial Disputes Act. The term of such Committee is two years. If the circumstances of the Colliery was such as to render closure imperative, there was no sense in re-constituting a Statutory Works Committee hardly one month and a half before closure.

Thirdly, the Management has constructed 64 new houses and 72 low-cost houses at a total cost of Rs. 2,89,440 obtained from the Housing Board of the Coal-mines Welfare Organisation. These houses were built hardly two to three years before the closure. Mr. Gokhale has admitted that the proprietors of the Collieries have to give a guarantee to the Housing Board to maintain the houses for forty years in order to entitle them to the subsidy. Further no Colliery having a life less than 15 years, under the new Housing Scheme, and less than 10 years, under the Low-Cost Housing Scheme, will be considered for construction of tenements or houses/barracks as the case may be under these Schemes. If the closure of the Colliery was an imperative by the end of 1965, which must be presumed to be in contemplation of the Management, the latter must not have obtained this huge amount after giving the necessary guarantee. It smacks of malafide to secure such a huge amount and close the Colliery for ever soon thereafter rendering the houses and the tenements so constructed wholly useless. The entire amount will be a sheer waste. It is difficult to re-concile the procurement of this vast sum with the closure of this Colliery.

The last and the most important circumstance is that, before the closure, Shri Rasiklal Worah, one of the Directors of the Colliery, proposed a scheme to the workmen through their leaders to run the mines on a cooperative basis. This scheme is Ext-W on behalf of the workers. It has been proved by Shri Hitnarayan Singh, a Trade Union Leader, and also by Shri B. P. Sinha, a Trade Unionist and a member of Legislative Council of the State of Bihar. Both of them have deposited that this scheme was handed over to them by Shri Rasiklal Worah. Although opportunity was given to the Management, Shri Rasiklal Worah was not examined to contradict this statement. Both Shri Hitnarayan Singh and Shri B. P. Sinha are respectable leaders of the Trade Union and there is no reason to disbelieve their testimony. It must be held therefore that this scheme was in fact proposed by one of the Directors of the Company. This scheme sufficiently demolishes the case of the Management. It shows that there is a Zero Seam and it could be successfully opened and worked. It further shows that coal raised from the Colliery is in great demand by the Railways, Sindri Fertilisers and the Steel Plants. It further shows that the Colliery is a profitable concern. This document also demolishes the reasons given by the department for closing the mine and shows that they are hollow and have no foundation in fact. The Management has falsely asserted those reasons to justify an otherwise unjustifiable closure.

When the reasons are considered in the light of the circumstances and hard facts of the case, there is no escape from the conclusion that these reasons are not good reasons to justify the closure. In my opinion, the conclusion is inescapable that there were no reasons, much less unavoidable reasons beyond the control of the Management, to support wholesale closure of the mines. It appears that due to certain reasons—financial and bad management—and consequential reduction in profit, induced the Management to close the Mines. Therefore the Management

cannot invoke to its aid the proviso to sub-section (1) of Section 25-FFF of the Industrial Disputes Act.

I therefore hold that the workmen are entitled to compensation under sub-section (1) of section 25-FFF read with section 25-F(b) of the Industrial Disputes Act and I award accordingly.

(Sd.) KANHAIYA SINGH.  
26-2-66.

#### ANNEXURE 'A'

The following seams outcrop in the property:

11/12 seam, 10 seam (Top and Bottom), 10 seam special (or IX seam), 8 seam, 7 seam (Top and Bottom), 6 seam and 1 to 5 combined seam.

Work has been done in all the seams one time or the other.

Position of the various seams at the time of closure was as follows:—

**11/12 Seam.**—Now work was being done and the workings a c on fire, and inundated under instructions of the Dept. of Mines.

**10 Seam (Top & Bottom).**—No work at the time of closure. Development completed upto the dip most barrier.

Depillaring (splitting only) permission for a small patch on the rise of J. G. Rly. Line is in hand and can be worked after stabilization of pits. Quantity of coal available will be approximately 1600—2000 tonnes from (Top and Bottom each) No. 10 seam. Rate of recovery about 12 tonnes per day.

**10 Seam Special (or IX Seam).**—Was being worked and depillaring was completed on 31-12-1965 except for 4-5 stooks in dip pannel and 4 stooks and 2 pillars in the rise pannel.

Corresponding area as referred to in 10 seam is refused by Dept. of Mines because the pits could not be stabilised.

**8 Seam.**—Development in the mid barrier was completed except for drivage of 242'.

Depillaring permission for an area 600'×650' to the rise of J. G. Rly. Line is in hand.

Work can, however, be undertaken only when upper seams are depillared in sequence.

**7 Seam Top and 7 Seam Bottom.**—No work at the time of closure.

**6 Seam.**—Abandoned long back (June 1964) and no work was done at the time of closure.

**1 to 5 Seam.**—Was being worked till the date of closure.

Sd/-  
8-2-1966

Sd/- P. G. GHOKHALE  
8-2-1966

Sd/-  
8-2-1966

The above note was prepared in my presence.

Sd/-  
8-2-1966

Inspector of Mines.

Went down through No. 7 Incline 7 Top Section. Went by drift to No. 7 seam Bottom Section. Travelled upto 20th level by travelling road and through a drift between 7 Top and 7 Bottom to No. 2 Pit shaft level. Went down haulage road and inspected two crushed and punctured cross galleries in 7 Top. Went to the north in 7 Top and saw water in 52 level and below. The area below 52nd could not be seen as it was full of water.

Signs of tram line having been laid were seen right upto the water edge in the haulage dip. Tramline sleepers seen did not appear to be very old. One

tram line, branching from the tram line along haulage dip was laid in 53rd level south almost upto 62 H.P. pump installed in 53rd level 4th south dip junction. It was delivering water to 2 Pit Bengal Jharia where there is 80 H.P. sump pump. Another 55 H.P. was installed in 26th level on south of No. 2 Pit and was delivering water to No. 1 Pit sump (Bengal Jharia). From there water was pumped to surface by 2×40 H.P. sump pumps. This was pointed out underground and accepted by both the parties, though could not be verified during inspection.

In the afternoon 1 to 5 combined seam was also jointly by the parties inspected when the Inspector of Mines was also present. We went down by haulage road and entered 22nd level North and inspected the Jore. The gallery for the last about 20 metres was passing through badly disturbed ground indicating the close vicinity of the fault. However no clear break lines could be seen yet. The galleries below 22nd level could not be inspected as they were under water. Just before closure about 20 pick faces were available and being worked.

A bore hole was shown on the plan in 5th level in the main haulage dip, which was unapproachable as it was under water.

Sd/-

Sd/-

8-2-1966

8-2-1966

Inspector of Mines.

Sd/-

Sd/-

8-2-1966

8-2-1966

[No. 8/132/65-LRIL.]

New Delhi, the 8th March 1966

**S.O. 809.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the management of Messrs. Gogte Mines, Redi and their workmen which was received by the Central Government on the 26th February 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT  
BOMBAY

REFERENCE No. CGIT 65 of 1965

Employers in relation to Messrs. Gogte Mines, Redi.

AND

Their Workmen.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the Employers—General Manager, Gogte Mines, Redi.

For the Workmen—General Secretary, Rashtriya Mines Mazdoor Sangh, Redi.

Dated at Bombay, this 23rd day of February 1966

INDUSTRY: Mining.

STATE: Maharashtra.

AWARD

The Central Government by the Ministry of Labour and Employment's Order F. No. 24/33/65-LR, dated 17th November 1965 made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act 1947 (Act XIV of 1947), was pleased to refer the industrial disputes between the parties abovenamed in respect of the subject-matters specified in the Schedule to the said order to me for adjudication.

SCHEDULE.

Whether the workmen of Messrs. Gogte Mines, Redi are entitled to paid festival holidays from the year 1965 and if so, to how many such holidays are they entitled?

After the reference was made by a joint application dated 17th February 1966, the parties forwarded to me a memorandum of settlement recording the terms of

settlement reached between them on this demand under which the employers have agreed to grant in all 5 paid festival holidays to their workmen in the year.

As the settlement appears to be in the interest of industrial peace I accept the same and make an award in terms recorded in the memorandum of settlement annexed to the parties' joint application dated 17th February 1966, a copy of which is enclosed hereto as Annexure 'A'.

No order as to costs.

(Sd.) SALIM M. MERCHANT,  
Presiding Officer.

**ANNEXURE 'A'**

**FORM 'H'**

(See Rule 58)

Memorandum of Settlement under section 18(i) of the Industrial Disputes Act, 1947 in a dispute between M/s. Gogte Mines, Redi and the Rashtriya Mine Mazdoor Sangh, Redi.

**PRESENT**

Representing the Management  
Shri V. K. Sathe,  
General Manager.

Representing the Union  
Shri V. A. Gavas,  
General Secretary.

*Short Recital of the Case*

The General Secretary the R.M.M. Sangh, Redi represented to the Management of M/s. Gogte Mines, Redi to grant five paid holidays to their workmen on the lines of M/s. New India Mining Corporation (Pvt.) Ltd., Redi and M/s. Deccan Minerals (Pvt.) Ltd., Redi.

The Management of M/s. Gogte Mines contended that since their mines at Redi are operated on seasonal basis they are not bound to give any paid holiday to their workmen. In this connection they brought to the notice of the Union their written statement filed under their letter No. GMR/22/66-157, dated 21st December 1965 and a copy endorsed to the said Union before the Central Government Industrial Tribunal, Bombay. (Reference No. CGIT-68 of 1965).

However on mutual discussion the dispute has been settled amicably on the following terms.

**Terms of Settlement**

**Festival Holidays:**

(1) It is agreed that though the Management of M/s. Gogte Mines are not bound to grant any paid holidays to their workmen their mines being seasonally operated, however as a generous gesture and in order to establish harmonious relations with the Union they shall with effect from 1st Jan. 1966 grant the following paid holidays to all the workmen.

26th January being the Republic Day of India	1 day.
15th August being the Independence Day of India	1 day.
and three other religious holidays to be decided by the Works Committee of M/s. Gogte Mines, Redi	3 days.
Total five paid holidays in a calendar year.	

(2) The Union shall not press the Management of Gogte Mines for granting any more paid holidays in future.

(3) The Union and the Management shall immediately withdraw the dispute pending before the Central Government Industrial Tribunal, Bombay under Reference No. CGIT-68 of 1965 for adjudication.

(4) This settlement shall come into effect only after receiving the consent Award from the Central Government Industrial Tribunal, Bombay as the Central Government under their order No. 24/33/65-LRI, dated 17th November 1965 have

referred the said Industrial Dispute for adjudication to the said Industrial Tribunal, Bombay and the same is pending before it.

Sd/-, V. K. SATHE,  
General Manager,  
Gogte Mines, Redi,  
Representing the Management.

Sd/-, V. A. GAVAS,  
General Secretary,  
Rashtriya Mine Mazdoor Sangh, Redi.  
Representing the workmen.

**Witnesses**

(1) Sd/-.  
(2) Sd/-.

[No. F. 24/33/65-LRI.]

**New Delhi, the 11th March 1966**

**S.O. 810.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad in the matter of applications under section 33A of the said Act from Sarvashri Sripat Rajbhar and Ramadhar Singh, Loaders, Messrs. Topsi Collieries which was received by the Central Government on the 8th March, 1966.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD.**

In the matter of Complaints under Section 33A of the Industrial Disputes Act, 1947.

**COMPLAINT No. 6 OF 1964.**

**PARTIES:**

Shri Sripat Rajbhar, Loader of Messrs. Topsi Collieries.—Complainant.

AND

Messrs. Topsi Collieries.—Opposite Party.

AND

**COMPLAINT No. 7 OF 1964.**

**PRESENT:**

Shri Ramadhar Singh, Loader of Messrs. Topsi Collieries.—Complainant.

AND

Messrs. Topsi Collieries.—Opposite Party.

**PRESENT:**

Shri Raj Kishore Prasad, M.A., B.L.—Presiding Officer.

**APPEARANCES:**

For the Complainants.—The two aforesaid complainants in person and their representatives Shri Robin Chatterjee, Vice-President of the Colliery Mazdoor Sabha.

For the Employers Opposite Party.—Shri S. S. Mukherjee, Advocate.

STATE: West Bengal.

INDUSTRY: Coal.

*Dhanbad, dated the 29th January, 1966.*

**AWARD.**

These two complaints were heard together at the request of both the parties as the management (opposite party) was the same in both the cases and although the complainant was different in the two cases but their representative was the same and the subject-matter of the dispute was also of the same nature and both the complaints had been filed in the same reference—Reference No. 40 of 1963, and, therefore, this award, which is being given, will govern both the complaints.

2. Complaint No. 6 of 1964 dated 5th May, 1964, was made on 8th May, 1964, under Section 33A of the Industrial Disputes Act, 1947 (hereinafter referred to as "The Act") by Shri Sripat Rajbhar, Loader of the Colliery of the opposite party, complaining against his suspension for indefinite period in contravention of the Standing Orders with effect from 20th July, 1963, to 22nd September, 1963.

3. Complaint No. 7 of 1964 dated 5th May, 1964, was made by Shri Ramdhar Singh, Loader of the Colliery of the Opposite Party under Section 33A of the Act on 8th May, 1964, complaining against his suspension for indefinite period from 20th July, 1963, when the chargesheet was served, to 29th September, 1963, when the enquiry report was submitted, recommending ten days' suspension.

4. The two complaints were taken up together on 28th January, 1966, as prayed for by both the parties. Both the complainants were represented by Shri Robin Chatterjee, Vice-President of Colliery Mazdoor Sabha and the management opposite party was represented in both the cases by Shri S. S. Mukherjee, Advocate.

5. Both the parties filed documents, which, with mutual consent, were taken in evidence and marked exhibits. The documents filed by the management in Complaint No. 6 of 1964 were marked Exhibits M. to M 9 and the documents filed by the management in Complaint No. 7 of 1964 were marked Exts. M. 10 to M 19. The Standing Orders were marked Ext. M. 20 as a common document in both the cases. Documents filed by the complainant in Complaint No. 6 of 1964 were marked Exts. W to W 7 and the documents filed by the complainant of Complaint No. 7 of 1964 were marked Exts. W. 8 to W. 13. The management did not examine any witness. The two complainants—Shri Sripat Rajbhar, WW. 1 and Shri Ramdhar Singh, WW 2—were, however, examined on behalf of the complainants and cross-examined by the management.

6. It will be better to deal first with the preliminary objection raised by Shri Mukherjee, on behalf of the management, in both the complaints, as it is a common objection to the maintainability of these two complaints. The objection is that these complaints were filed in Reference No. 40 of 1963, but none of these two complainants were "workmen concerned in such dispute" in Reference No. 40 of 1963, within the meaning of Section 33(2) of the Act, and, therefore, the question of contravention of the provisions of Section 33 of the Act during the pendency of Reference No. 40 of 1963 did not arise and as such these complainants were not entitled to make complaints under Section 33A of the Act, and, therefore, they should be dismissed *in limine*.

7. Let us, therefore, find out the scope of the dispute, which was referred for adjudication in Reference No. 40 of 1963 and see if these two complainants could be said to be "workmen concerned in such dispute" within the meaning of Section 33(2) of the Act in Reference No. 40 of 1963 so as to entitle them to make complaints under Section 33A of the Act.

#### REFERENCE NO. 40 OF 1963:

8. In Reference No. 40 of 1963 the Government of India, Ministry of Labour and Employment, by its order No. 618/63-LRII dated 8th May, 1963 referred under Section 10(1)(d) of the Act to this Tribunal for adjudication an industrial dispute existing between the employers in relation to Topsi Colliery, P.O. Topsi, Dist. Burdwan and Their Workmen in respect of the matters specified in the schedule attached to the order of Reference which is reproduced below:

#### SCHEDULE.

"Whether the action of the management of Topsi Colliery in refusing the work of loaders to the workmen mentioned in the annexure, from or about the 21st February, 1963, and simultaneously transferring them to work as pickminers is justified? If not, to what relief are the said workmen entitled?"

1. Shri Rajbali Malha.
2. Shri Suneswar Harijan.
3. Shri Bala Harijan

4. Shri Muneshwar Sau.
5. Shri Sadhu Harijan.
6. Shri Sontaraj Sau.
7. Shri Motor Bin (Malah).
8. Shri Seonandan Singh.
9. Shri Rambrij Kahar.
10. Shri Mithai Harijan.
11. Shri Bhikari Rabidas.
12. Shri Jhutha Kurmi.
13. Shri Rambrij Harijan.
14. Shri Budhram Harijan.
15. Shri Sarbjit Rajbhar.
16. Shri Dalsinger Jado.
17. Shri Nazir Mia.
18. Shri Golam Rajbhar.
19. Shri Shri Tikori Harijan.

9. From the above, it is obvious that the industrial dispute, which was referred for adjudication to this Tribunal in Reference No. 40 of 1963 in respect of the above mentioned 19 Loaders of Topsi Colliery and the action of the management complained of was that the management of Topsi Colliery had refused work to these above mentioned 19 workmen from about 21st February, 1963, and simultaneously transferred them to work as pickminers, and therefore the question was whether the said action of the management was justified. There was no question of their suspension by the management under the Standing Orders of the Company Ext. M. 20.

10. Here, in the present two complaints, Shri Sripat Rajbhar, complainant in Complaint No. 6 of 1964 and Shri Ramdhari Singh Complainant No. 7 of 1964, are also both Loaders of the Tonsi Colliery, but their complaint is that their suspension not for an indefinite period as alleged but really from 20th July, 1963, to 29th July, 1963, from the date of service of the chargesheet to both of them to the date of the submission of the enquiry report recommending suspension for 10 days for the above period was unjustified and further that the charges against them were baseless and the enquiry into the said charges was illegal and, therefore, the action of the management in suspending them for 10 days was illegal, *mala fide* and against the principles of natural justice.

11. From the above it is plain that the subject matter of dispute in Reference No. 40 of 1963 and in these two complaints is entirely different and not at all interconnected or the same and, therefore, the mere fact that these two complainants are also Loaders like the 19 workmen concerned in Reference No. 40 of 1963 and further the fact that the above 19 workmen and these two complainants all work in the same Colliery and are employees of the same management are no grounds for holding that these complainants were "workmen concerned in the dispute" in Reference No. 40 of 1963 within the meaning of Section 32(2) of the Act.

12. In the above connection reliance placed by Shri Mukherjee on the Supreme Court's decision in *Diamond Colliery Versus Ramji Singh*, 1964 (II) L.L.J. 143 which, in my opinion, is to the point. In the above mentioned Supreme Court case in Reference No. 60 of 1959, which was the subject matter of dispute before the Supreme Court, the dispute was on behalf of Channadevi and Watchmen of Jamadoba and Diamond Collieries for withdrawal of their overtime wages, and the respondent, Ramji Singh, was a clerk, Grade III. In that view of the matter, Their Lordships of the Supreme Court held that it was necessary that the respondent, Ramji Singh, should have satisfied the Tribunal by proving the nature of the dispute ending in Reference No. 60 of 1959 before asking the Tribunal to make a finding in his favour under Section 33(2) and in the absence of any such evidence, the tribunal was not justified in holding that Section 33(2) applied and had been contravened. On the merits, Their Lordships held that the finding of the tribunal in the domestic enquiry that the respondent, Ramji Singh, had contravened Clause 19(13) of the Standing Orders must be taken to be correct and if that is so, the order of dismissal is plainly consistent with the Standing Orders. That being the position, the order of the Tribunal directing the appellant company to reinstate the respondent, Ramji Singh, should be set aside.

13. In the instant case also the suspension during the enquiry from 20th July, 1963, when the chargesheets were served on both the complainants separately, to 29th July, 1963, when the enquiry report was submitted, was authorised by Clause 18(i) of the Standing Orders, at page 7, (Ext. M 20), which provides *inter alia* that "suspension without pay whether as punishment or pending departmental enquiry shall not exceed 10 days." The complainants had not made any grievance that they had not been paid their wages for the period of suspension and admittedly the suspension did not exceed for 10 days. In this view of the matter the suspension of these two complainants being in accordance with Clause 18(i) of the Standing Orders (Ext. M 20) was perfectly legal and justified and there could be no contravention of Section 33(2) of the Act so as to entitle the complainants to make complaints under Section 33A of the Act.

14. Shri Mukherjee's second objection was that Section 33A of the Act does not apply to the present case because Section 33(2) (b) of the Act does not apply to 'suspension' and as such no approval is necessary in case of suspension. In support of his contention he relied on a decision of the Supreme Court in *Lord Krishna Textile Mills Versus Its Workmen*, 1961(I) L.L.J. 211, at page 215.

15. In *Lord Krishna Textile Mills Vs. Its Workmen*, 1961 (I) L.L.J. 211, above mentioned, His Lordship Gajendragadkar, J. (as then he was), at page 215, observed:

"It would be noticed that even during the pendency of an industrial dispute the employee's right is now recognized to make an alteration in the conditions of service so long as it does not relate to a matter connected with the pending dispute, and this right can be exercised by him in accordance with the relevant standing orders. In regard to such alteration no application is required to be made and no approval required to be obtained."

16. In order to decide the above objection, it is necessary to read the material portion of Section 33(2) of the Act, which is as under:

"33. (1) During the pendency of any conciliation proceeding before a conciliation officer or a Board or of any proceeding before a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—

(2) During the pendency of any such proceeding in respect of an industrial dispute, the employer may, in accordance with the standing orders applicable to a workman concerned in such dispute.—

(b) for any misconduct not connected with the dispute, discharge or punish whether by dismissal or otherwise that workman;

Provided that no such workman shall be discharged or dismissed, unless he has been paid wages for one month and an application has been made by the employer to the authority before which the proceeding is pending for approval of the action taken by the employer."

On reading sub-section 2(b) of Section 33, quoted above, it is plain that the words used in sub-clause (b) of Sub-Section (2) of Section 33 of the Act are "discharge or punish, whether by dismissal or otherwise". Discharge is one of the modes of punishment and would, therefore, be covered by the words, "otherwise punish", as the word 'discharge' used must be construed to cover cases of discharge which are not by way of punishment as otherwise no separate word would be given to the word 'discharge' which has been specifically used and that would be rendered redundant and superfluous. If "discharge" is by way of punishment, the same would fall under the words "punish whether by dismissal or otherwise," and if it is discharged otherwise than as a punishment it would fall under the first category, i.e. discharge Similicitor. "Discharge" as used in the proviso has the same meaning and covers both the said category of discharge. Therefore, the "discharge" in Clause (b) of Sub-section (2) of Section 33 is intended to be any discharge whatever be the ground for any misconduct which is not connected with the dispute and as such an application for approval would be necessary if the order of discharge is made for reasons of misconduct. Sub-clause (b) of Sub-Section (2) of Section 33 speaks, as stated above, of also dismissal by way of punishment, but

it does not speak of suspension obviously because suspension during the enquiry is not punishment. It is well settled that suspension pending enquiry is not regarded as punishment, for punishment presupposes the commission of an offence and till the offence is proved to the satisfaction of the management, suspension pending enquiry cannot be considered to be a punishment. Where there is a provision in the Standing Orders of a Company providing suspension pending enquiry, suspension is not a punishment. In the instant case, Standing Orders (Ext. M 20) provides in Clause 18(i) that pending departmental enquiry there can be suspension, but it shall not exceed 10 days. Admittedly here suspension was not for more than ten days. Therefore, in my opinion, it is clear that no approval under Section 33(2) (b) of the Act is necessary in case of suspension merely as in the present case. Here we find on 20th July, 1963 chargesheets were served on both the persons and on that day both of them were put under suspension. The enquiry was finished and the report was given on 29th July, 1.63. In my opinion, therefore, the second objection of Shri Mukherjee is also well founded and must be accepted.

17. It was then submitted by Shri Mukherjee that here suspension was not for misconduct under Clause 18(1)(r) of the Standing Orders (Ext. M 20) and the suspension was not for more than 10 days, because he remained suspended only during the enquiry from 20th July 1963 to 29th July, 1963 and as such these two complainants could have no grievance at all. Clause 18(i) of the Standing Orders (Ext. M 20) is in these words:

**"Disciplinary action for misconduct:**

(i) A workman may be suspended or fined or his increment may be stopped, or he may be demoted or dismissed without notice, if he is found to be guilty of misconduct provided that suspension without pay whether as punishment or pending departmental enquiry shall not exceed ten days. Where, however, a period of suspension pending departmental enquiry exceeds ten days the workman shall be paid half the wages for such period in excess of ten days."

18. It is clear from the above Clause 18(1) of the Standing Orders that pending departmental enquiry there can be suspension, but it could not exceed 10 days and in the instant case it did not exceed 10 days. For these reasons the suspension being in accordance with the Standing Orders (Ext. M 20) it cannot be said to be illegal.

19. In the present case, as I have held that Section 33(2)(b) does not apply to suspension as it applies to discharge or dismissal the suspension for 10 days of the complainants being in accordance with Clause 18(i) of the Standing Orders was perfectly justified and legal and, therefore, no approval was necessary in such a suspension and as such there has been no contravention of Section 33(2)(b) of the Act.

20. As regards the merit of the case as to whether the enquiry was fair and proper and not and whether the enquiry was vitiated as contended by Shri Chatterjee on behalf of the complainants, I do not think it is necessary to deal with them when I have upheld the preliminary objection of Shri Mukherjee that these complaints are not maintainable, and, therefore, on my above finding these complaints must be and are hereby dismissed as not maintainable.

21. The result, therefore, is that these two complaints are dismissed *in limine* as not maintainable.

22. This is my award in these two complaints.

(Sd.) RAJ KISHORE PRASAD,  
Presiding Officer,  
Central Government Industrial Tribunal,  
Dhanbad.  
[No. 6/8/63-LRII.]

**ORDERS**

*New Delhi, the 5th March, 1966*

**S.O. 811.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Coal Washing Plant of Messrs Tata Iron and Steel Company Limited, Jamadoba, Post Office, Jealgora, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

1/10 And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the suspension of Shri Kundan Singh, Heavy Tindal Mazdoor, for ten days with effect from the 18th October 1965, by the management of the Coal Washing Plant of Messrs Tata Iron and Steel Company Limited was justified? If not, to what relief is the workman entitled?

[No. 1/1/66-LRII.]

**S.O. 812.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bhadrasai Manganese Mine of Messrs Orissa Minerals Development Company Limited, Barbil and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication:

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the termination of services of the following workmen employed in the Bhadrasai Manganese Mine of Messrs Orissa Minerals Development Company Limited, (Post Office Barbil, District Koonjhar, Orissa) with effect from the date mentioned against the name of each workman was justified? If not, to what relief are they entitled?

Name of the workmen	Designation	Date of termination of service.
1. Shri Jagmohan Lohar . . .	Tool Shaper	1st September, 1965.
2. Shri Lechia Munda . . .	Mining Mazdoor	8th September, 1965.
3. Smt. Sukuru Dei . . .	Dressing Kamin	30th August, 1965.
4. Smt. Saraswati Dei . . .	Mining Kamin	20th September, 1965.
5. Smt. Sukuromani . . .	Dressing Kamin	6th September, 1965.
6. Smt. Rajani Dei . . .	Do.	8th September, 1965.
7. Smt. Sahebhai . . .	Do.	1st September, 1965.
8. Smt. Sumitra Dei . . .	Do.	25th August, 1965.
9. Smt. Jema Dei . . .	Packing Kamin	20th September, 1965.
10. Smt. Durpati Dei . . .	Dressing Kamin	27th August, 1965.
11. Shri Nabin Patra . . .	Mining Mazdoor	8th September, 1965.
12. Shri Rabi Mahakud . . .	Dressing Mazdoor	26th August, 1965.
13. Shri Makru . . .	Mining Mazdoor	6th September, 1965.
14. Smt. Malli Dei . . .	Dressing Kamin	27th August, 1965.
15. Shri Narendra . . .	Mining Mazdoor	8th August, 1965.

[No. 35/3/66-LRI]

New Delhi, the 8th March 1966

**S.O. 813.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Noagown Iron Mine of Messrs K. C. Thapper & Brothers and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

1. Whether the employers in relation to the Noagown Iron Mine of Messrs K. C. Thapper & Brothers (Private) Limited, are justified in dismissing Sharvashri Rama Naik and Parameshwar Das from 22nd December 1965?
2. If not, to what relief are the two workmen entitled?

[No. 24/7/66-L.R.I.]

**S.O. 814.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed.

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the management of the Jamadoba Colliery of Messrs. Tata Iron and Steel Company Limited was justified in suspending Shri S. M. Choudhury, Overman, for ten days with effect from the 8th November 1965? If not, to what relief is the workman entitled?

[No. 2/3/66-L.R.II.]

New Delhi, the 9th March 1966

**S.O. 815.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company, Limited, Post Office Kothagudium Collieries and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, with Shri Mohammad Najmuddin as the Presiding Officer, with Headquarters at Hyderabad, and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

Having regard to the nature of work performed by Sarvashri 1. Khadar Sharif (Moulder), 2 P. Jagannadha Rao (Fitter), 3. G. Venkateshwar Rao (Turner), 4. P. S. Vydyanayakan (Welder) and 5. P. N. Gangadhar

Naidu (Fitter), whether the management of the Singareni Collieries Company Limited is justified in denying payment of Category VII Wages to them from the date of completion of Trade Apprenticeship?

If not, to what relief are they entitled?

[No. 7/2/66-LRII.]

**S.O. 816.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company, Limited, Kothagudium Post Office and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, with Shri Mohammad Najmuddin, as the Presiding Officer, with Headquarters at Hyderabad, and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

Whether the demand for grant of Typing allowance of Rupees Fifteen Per Mensem to Sarvashri A. Suryanaryana and A. Raghunath Senior clerks, is justified?

If so, the date or dates from which it should be granted?

[No. 7/38/65-LRII.]

**S.O. 817.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bhagaband Colliery, Post Office Bhagaband, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 16 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

1. Whether the management of the Bhagaband Colliery was justified in terminating the services of the following twenty workmen with effect from the dates shown against each?

Sl. No.	Name of the workmen with designation.	Date of termination of services.
1	2	3
1	Shri Taki Meah, Miner	27-11-65
2	Sri Ramadhin Chamar, Trammer	27-12-65
3	Shri Sukhnandan Bhar, Trammer	27-12-65
4	Shri Babar Ali Mia, S. P. Mazdoor	23-12-65
5	Shri Makhan Chamar, Trammer	23-12-65

1	2	3
6	Shri Ramrup Bhar, Miner	14-12-65
7	Shri Hargun Bhar, Miner	10-12-65
8	Shri Uttim Singh, Miner	9-12-65
9	Shri Gajjan Chamar, Miner	8-12-65
10	Shri Ramkeswar Koiri, Miner	8-12-65
11	Shri Liladhar Gope, Trammer	21-12-65
12	Shri Santoo Garari, Trammer	13-12-65
13	Shri Shyama Singh, Driller	13-12-65
14	Shri Barfidhar Dube, Lamp cabin Mazdoor	29-12-65
15	Shri Rama Bilaspuru, S. P. Mazdoor	20-12-65
16	Shri Amrit Nunia, S. P. Mazdoor	20-12-65
17	Shri Patiram Lohar, Miner	20-12-65
18	Shri Sukhu Mallik, Rejection Trammer	25-11-65
19	Shri Tulan Garari, Prop. Mazdoor	25-11-65
20	Shri Somar Meah, Miner	2-12-65

2. If not, to what relief are the workmen entitled?

[No. 2/26/66-LRII.]

**S.O. 818.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Ramnagar Colliery, P.O. Kulti, Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the dismissal by the management of Ramnagar Colliery of their workman Shri Motichand Gope, Trammer, with effect from the 28th July, 1965 was unjustified? If so, to what relief is the workman entitled?

[No. 6/111/65-LRII.]

**S.O. 819.**—Whereas the employers in relation to the management of Messrs Companhia Mineira Dempo and Souza Ltd., Panjim, Goa, and their workmen represented by the Goa Mining Labour Welfare Union, have jointly applied to the Central Government under sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947) for reference to a Tribunal of an industrial dispute that exists between them in respect of the matter set forth in the said application and reproduced in the Schedule hereto annexed;

And, whereas the Central Government is satisfied that the said Goa Mining Labour Welfare Union represents the majority of the said workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said disputes for adjudication to the Industrial Tribunal, Bombay, constituted under 7A of the said Act.

## SCHEDULE

Whether the claim of the said Union for bonus for the year 1962 on behalf of the workmen employed by the said Company at their Iron Ore Mines at Bicholim is justified? If so, from what date and to what extent?

[No. F. 24/2/66-LRI.]

*New Delhi, the 10th March 1966*

**S.O. 820.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kendra Colliery, Post Office Pandaveswar, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

## SCHEDULE

1. Whether the stoppage of work of Sarvashri Sahadeb Chamar, Pamai Chammar and Ramadhar Chammar Underground Leaders, by the management of Kendra Colliery, with effect from the 9th October, 1964 to the 19th October, 1964 was justified?

2. If not, to what relief are they entitled?

[No. 6/46/65-LRII.]

*New Delhi, the 14th March 1966*

**S.O. 821.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company Limited, P.O. Kothagudum Collieries and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, with Sri Mohammad Najmuddin as the Presiding Officer, with Headquarters at Hyderabad, and refers the said dispute for adjudication to the said Tribunal.

## SCHEDULE

1. Having regard to the duties performed and responsibilities shouldered by Sarvashri Raghbeer Singh, M. Iqbal Shariff, Gopalakrishnmurthy, S. Gopal Dubey, K. V. Raghavaiah, Ch Anandam, G. Ventakeswarlu, K. R. Solomon, B. Rajarathnam, N. P. Ramaswamy and Lokanathan, clerks working in the main stores at Kothagudum of Singareni Collieries Company Limited, whether the management of the aforesaid company is justified in not allowing the grade of Rs. 70—158 to them?

2. If not, to what relief are these workmen entitled and from what date?

[No. 7/9/66-LRII.]

**S.O. 822.**—Whereas the Central Government is of opinion that an Industrial dispute exists between the employers in relation to the Singareni Collieries Company, Limited, Kothagudum Collieries Andhra Pradesh and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, with Sri Mohammad Najmuddin as the Presiding Officer, with Headquarters at Hyderabad, and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

Whether the management of the Singareni Collieries Company Limited, Kothagudium, was justified in placing the undermentioned Masons in Category V?

1. Sri K. Veeriah	Mason	10 incline.
2. Sri Beddula Kistaiah	Mason	10 incline.
3. Sri Gadapa Komaraiah	Mason	10 incline.
4. Sri Shaik Buden	Mason	11 incline.
5. Sri Mudsu Kankiah	Mason	11 incline.
6. Sri Mahboob Ali	Mason	9 incline.
7. Sri Ramamurthy	Mason	9 incline.
8. Sri Gujjula Rajaiah	Mason	7 incline.
9. Sri Panuganti Kanakiah	Mason	7 incline.
10. Sri Ramgiri Ilaya	Mason	7 incline.
11. Sri Burla Hanumaiah	Mason	7 incline.
12. Sri Gumpula Ramulu	Mason	7 incline.
13. Sri B. Komaraiah	Mason	5 incline.
14. Sri Pendam Komariah	Mason	5 incline.
15. Sri Beddula Gattalah	Mason	5 incline.
16. Sri Meesala Balaiah	Mason	5 incline.
17. Sri Beddula Ramaiah	Mason	5 incline.
18. Sri Lal Mohd.	Mason	5 incline.
19. Sri Shaik Lala	Mason	5 incline.
20. Sri K. Banaiah	Mason	8 incline.
21. Sri Sandelli Rajam	Mason	5 incline.
22. Sri Katkoori Posham	Mason	8 incline.
23. Sri Silviri Ramaiah	Mason	8 incline.

If not, to what relief are they entitled and from what date?

[No. 7/22/65-LRII.]

**S.O. 823.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company, Limited, Post Office Kothagudium Collieries Andhra Pradesh and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, with Sri Mohammad Najmuddin as the Presiding Officer, with Headquarters at Hyderabad, and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

Whether the action of the management in terminating the services of Sarvashri S. Bheemaiah, Bella Venkanna, C. Banaiah, S. Eram, Shot Firers of No. 2 Incline of the Singareni Collieries Company Limited, with effect from the 9th September, 1965, is justified?

If not, to what relief are the workmen entitled?

[No. 7/41/65-LRII.]

H. C. MANGHANI, Under Secy.

New Delhi, the 9th March 1966

**S.O. 824.**—The following draft of a notification which the Central Government proposes to make, in exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), is hereby published for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 5th April, 1966.

Any objections or suggestions which may be received from any person in respect of the said draft before the date so specified will be considered by the Central Government.

*Draft Notification*

In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 72, dated the 24th December, 1964, the Central Government hereby directs that for a further period of two years with effect from the 27th April, 1966, the provisions of sub-section (1) of section 13 and section 14 of the said Act, in so far as they relate to the regulation of daily hours of work and payment of overtime wage respectively, shall not apply to the pound keepers employed by Cantonment Boards, subject to the condition that the working day of a pound keeper shall be so arranged that, inclusive of intervals of rest, it shall not spread over more than twelve hours on any day.

[No. LWI-I-8(3)/64.]  
O. P. TALWAR, Under Secy.

**(Department of Labour & Employment)**

New Delhi, the 9th March 1966

**S.O. 825.**—In exercise of the powers conferred by sub-section (3) and (4) of section 5A, read with section 9 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints Shri S. K. Ghosh, Deputy Chairman, Commissioners for the Port of Calcutta, as a member representing the Central Government on the Calcutta Dock Labour Board for one month with effect from the forenoon of the 4th February, 1966 vice Shri B. B. Ghosh, and further nominates him as the Chairman of the said Board and makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 1485, dated the 2nd June, 1960, namely:—

In the said notification, for the words and letters "Shri B. B. Ghosh" wherever they occur, the words and letters "Shri S. K. Ghosh" shall respectively be substituted.

[No. 523/37/60-Fac.]  
K. D. HAJELA, Under Secy.

**(Department of Labour & Employment)**

New Delhi, the 10th March 1966

**S.O. 826.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay, in respect of an industrial dispute between the employers in relation to the Oriental Fire and General Insurance Company Limited and their workmen, which was received by the Central Government on the 26th February, 1966.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY**

REFERENCE NO. CGIT 37 OF 1962

Employers in relation to the Oriental Fire & General Insurance Company Ltd.,

AND

Their Workmen.

## PRESENT:

Shri Salim M. Merchant, Presiding Officer.

## APPEARANCES.

For the employers—Shri L. C. Joshi, Labour Adviser, Bombay Chamber of Commerce, with Shri D. K. Munshi, Deputy Regional Manager.

For the workmen—Shri S. A. Nimachwala, Advocate, with Shri K. D. Kurup, Advocate, and Shri K. S. P. Pillai, General Secretary, and Shri V. A. D'Souza, Joint Secretary, General Insurance Employees' Union, Bombay.

Dated at Bombay this 17th day of February, 1966

INDUSTRY: General Insurance.

STATE: Maharashtra.

## AWARD

1. The Central Government, by the Ministry of Labour & Employment's Order No. 70(16)/62-LRIV, dated 23rd October, 1962, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947) (hereinafter referred to as the Act), was pleased to refer the industrial dispute between the parties above-named in respect of the subject-matters specified in the following schedule to the said Order, to me for adjudication:—

## SCHEDULE

"Whether the dismissal of Shri M. B. Joshi, a clerk, by the management of the Oriental Fire & General Insurance Company Ltd., Bombay, is justified? If not, to what relief is he entitled?"

2. After the parties had filed their written statements, and the dispute was taken up for hearing, by order dated 3rd March, 1964, I rejected the preliminary objection raised by the Company with regard to the maintainability of this reference. From that order the employer Company filed a writ petition in the High Court of Bombay under articles 226 and 227 of the Constitution of India—being Special Civil Application No. 605 of 1964—and by Their Lordships' Order, dated 5th October, 1965, Their Lordships were pleased to allow the petition of the Company, and set aside my order, and remand the matter back to me for deciding whether the departmental enquiry held by Shri Pathak of the Company was proper and fair and then to dispose of the matter in accordance with law.

3. Thereupon, at the remanded hearing of the dispute before me, the parties negotiated for a settlement, and I am glad to state that they have accepted a settlement on the terms suggested by me as incorporated in copy of the settlement annexed hereto and marked Annexure 'A', which has been signed by the representatives of both parties. Both parties have prayed for an award in terms of the settlement recorded in Annexure 'A', and I, therefore, make an award in terms thereof.

4. No order as to costs.

(Sd.) SALIM M. MERCHANT,  
Presiding Officer.

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

REFERENCE No. CGIT 37 OF 1962

Employers in relation to the Oriental Fire & General Insurance Company Limited, Bombay

AND

Their Workmen.

On remand by the High Court of Bombay, at the adjourned hearing of the dispute on 18th February, 1966, the parties agreed to the following terms of settlement suggested by the Tribunal and agreed to take an Award in terms thereof.

1. The order of dismissal, dated 17th May, 1962 against Shri M. B. Joshi, the workman concerned to be deemed to be one of discharge with effect from 28th May, 1962.

2. The Oriental Fire & General Insurance Company Limited, Bombay, shall pay to Shri M. B. Joshi, in full and final settlement of all his dues and claims under this reference, including his claim for re-instatement in service, the following amounts:—

(i) Rs. 390.00	Amount of Bonus for 1961.
(ii) Rs. 159.48	Amount of Bonus for 1962.
(iii) Rs. 2925.00	Amount of Gratuity.
(iv) Rs. 1644.15	Amount of Salary including allowances from 13th July, 1961 to 28th May, 1962.
(v) Rs. 3000.00	Ex-gratia payment suggested by this Tribunal.
<u>Rs. 8118.63</u>	.... Total.

Payment of this amount of Rs. 8,118.63 shall be made by the Company to Shri M. B. Joshi by 1st March, 1966.

3. It is admitted that a sum of Rs. 4,866.46 including Company's contribution and Rs. 169.00 being arrears of Company's contribution would be due to Shri M. B. Joshi under his Provident Fund Account. The Company will recommend payment of these amounts and interest, if any, due thereon to Shri M. B. Joshi, at the earliest.

4. Shri M. B. Joshi shall also be entitled to payment of his leave dues, if any, until 28th May, 1962, which shall be paid to him by the Company by 1st March, 1966.

5. Both parties withdraw all the allegations made against all parties concerned at all stages of this dispute.

6. This Company will issue a service certificate to Shri M. B. Joshi.

At Bombay this 16th day of February, 1966.

For the General Insurance  
Employees' Union, Bombay.

(Sd.) V. A. D'Souza,  
Joint Secretary

(Sd.) K. D. KURUP,  
Advocate for the Union.

Before me,

For the Oriental Fire &  
General Insurance Company  
Limited, Bombay.

(Sd.) D. K. MUNSHI,  
Deputy Regional Manager.

(Sd.) L. C. JOSHI,  
Labour Adviser, Bombay,  
Chamber of Commerce.

(Sd.) SALIM M. MERCHANT.  
Presiding Officer.

[No. 70(16)/62-LRIV.]

#### ORDERS

New Delhi, the 5th March 1966

S.O. 827.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Canara Banking Corporation Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of

1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Mir Iqbal Hussain shall be the Presiding Officer with headquarters at Bangalore and refers the said dispute for adjudication to the said Tribunal.

#### SCHEDULE

Whether Shri K. Rathankar and 76 other accountants working in the Canara Banking Corporation Limited are eligible for additional slabs of dearness allowance as per settlement arrived at on the 18th August, 1964, before the Chief Labour Commissioner (Central), New Delhi in an industrial dispute between the managements of the banks as represented by the Indian Banks' Association, Bombay and the Bombay Exchange Banks' Association, Bombay, and their workmen.

[No. F. 51(45)/65-LRIV.]

*New Delhi, the 9th March 1966*

**S.O. 828.**—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to M/s. Matheson Bosanquet and Company Ltd., Cochin and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

#### SCHEDULE

Whether the steamer tally clerks of M/s. Matheson Bosanquet and Company Limited, Cochin, are entitled to the payment of bonus for the accounting year ended 31st December, 1964? If so, the quantum of bonus payable to them?

[No. 28(27)/66-LRIV.]

*New Delhi, the 11th March 1966*

**S.O. 829.**—Whereas the employers in relation to the New Zealand Insurance Company Limited, Bombay and their workmen represented by the General Insurance Employees' Union, Bombay have jointly applied to the Central Government for reference of an industrial dispute that exists between them to a Tribunal in respect of the matters set forth in the said application and reproduced in the Schedule hereto annexed;

And whereas the Central Government is satisfied that the said General Insurance Employees' Union, Bombay represents the majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

#### SCHEDULE

Whether the following demands put forward by the workmen are justified?

#### *Charter of Demands*

All the demands contained herein below shall apply equally to all the employees employed in the New Zealand Insurance Co. Ltd., Bombay.

#### **i. Classification of Employees:**

The employees will be classified into the following categories:

(a) Sweepers, Sepoys, Chaprasis, and Head Peons shall be placed in Grade 'A'.

- (b) Drivers shall be placed in Grade 'B'.
- (c) Assistants, Telephone Operators, Typists, Receiving and Paying Cashiers, shall be placed in Grade 'C'.
- (d) Junior Supervisory Staff, variously termed as Higher Grade Assistants, Special Assistants, Senior Assistants, Head Typists, Senior Cashiers, Stenographers, Draughtsmen, etc., shall be placed in Grade 'D'.
- (e) Senior Supervisory Staff, variously terms as Superintendents; Assistant Superintendents, Head Clerks, Sectional Heads, Branch Accounts, etc., shall be placed in Grade 'E'.

#### II. Scales of Pay:

Grade A : Rs. 120—5/6—150—0/7—192—8/6—240 in 19 years.

Grade B : Rs. 180—6/2—192—8/6—240—10/3—270 in 11 years.

Grade C : Rs. 200—10/4—240—15/10—390—20/4—470 in 18 years.

Grade D : Rs. 275—15/5—350—20/5—450—25/5—575 in 15 years.

Grade E : Rs. 350—30/6—530—40/4—690 in 10 years.

#### III. Dearness Allowance:

Dearness Allowance shall be paid at the rate of 1½ per cent of basic pay for every rise of 5 points over the cost of living index figure of 360 (1934=100 points) subject to minimum of Rs. 40/-.

The Bombay working class consumers Price Index shall be taken as the basis for calculating the Dearness Allowance.

#### IV. Adjustments:

An employee shall be fitted into the new scales on a point to point basis. The basic pay and the dearness allowance as on 31st March 1964, shall be treated as basic pay only for the purpose of adjustment of basic pay to the new scales of pay.

If an employee is drawing more basic pay than what is warranted after proper adjustment as above, he shall continue to receive the excess amount as personal pay and shall be also given usual annual increments.

#### V. Special Allowance:

Employees engaged in work mentioned below and/or designated as below shall be entitled to Special Allowances per mensem in addition to their salaries and emoluments in the manner stated below:—

- (a) Bank Peons, Despatch Peons, Head Peons, and such other employees: Rs. 20/- per month.
- (b) Typists, Telephone Operators, Paying and Receiving Cashiers and Cashiers, and such other employees: Rs. 30/- per month.

#### VI. Special Increments:

Besides the above the employees under Grade 'C' and 'D' shall be entitled to Special Increments for passing the following examinations on the scale shown against each examination:

On Graduation	...	...	2 increments.
On passing the following examinations:			
1. Licentiate or A.C.I.I. Part I.			
2. A.F.I.I. Part I or A.C.I.I. Part II			
3. A.F.I.I. Part II or A.C.I.I. Part III			
4. Chartered Accountant			
			1 increment for each part.

**N.B.**—In case of Stenographers and Junior Supervisory Staff the total number of special increments shall not exceed three during that Grade. A Graduate appointed as an Assistant shall get a higher starting salary by two increments. Those Graduate Assistants who have not received the Graduation increments shall also get two increments.

### VII. Other Allowances:

(a) **Overtime Allowance.**—An employee working overtime shall be entitled to overtime allowance for such period of work rendered at the rate of double the hourly rate of wages inclusive of Special Allowance and all other allowances. No employee shall be engaged in for overtime work for more than 90 hours in a calendar year.

#### (b) **Officiating Allowance:**

- (i) If an employee is required to officiate in a higher post, he shall be entitled to an 'Acting Allowance' at the rate of 20 per cent of his salary for the period for which he officiates.
- (ii) If an employee is required to act in a post for which Special Pay is provided, he shall be entitled to *pro-rata* special allowance for the period of such work done.

(c) **House Rent Allowance.**—All the employees shall be paid as "House Rent" a sum at the rate of 10 per cent of their Basic Salary per mensem, subject to a minimum of Rs. 20.

### VIII. Amenities

#### Subsidies:

- (i) Text Books for ACII or Federation of Insurance Institute Examination shall be supplied by the Company in turn. Examination fee shall be paid by the employer after the employee passes the examination.
- (ii) Adequate subsidy shall be given for Sports, Recreation and Cultural Activities of the employees.
- (iii) All the employees shall be entitled to a Free Personal Accident (Annual) Policy, the premiums of which shall be borne by the employers. The sum assured of such a policy shall be Rs. 10,000, Rs. 7,500, Rs. 5,000 and Rs. 2,500 to the employees in Grades E, D, C & B and A respectively.
- (iv) Adequate subsidy shall be given for cheap canteens for supply of wholesome food to the employees in each of the office premises.

### IX. Free Medical Aid

All the employees shall be entitled to free medical aid for selves and their dependents. All the cost of hospitalisation, medicines and doctors' bills shall be borne by the employers.

### X. Gratuity

On retirement, or retrenchment or on death or on total and permanent disability of an employee while in the service of the Company:

One month's basic salary for each year of continuous service.

On resignation from service after completion of 10 years continuous service:

One month's basic salary for each year of continuous service.

On termination of service by the Company:

One month's basic salary for each completed year of service.

The salary for the purpose of calculating Gratuity shall be the terminal basic salary drawable by the employee previous to death, disablement, retirement, resignation, retrenchment or termination of service as the case may be.

**XI. Retirement Age:**

The age of retirement of an employee shall be 60 years.

**XII. Provident Fund:**

(i) All permanent employees including part-time employees should be made members of the Provident Fund.

(ii) The rate of contribution should be 8 1/3 per cent of the total emoluments, i.e. basic pay plus dearness allowance, plus special allowances, if any, with equal contribution by the Company. The employees should, however, be allowed to contribute voluntarily upto 15 per cent of their salary without corresponding contribution from the Company.

(iii) Interest at a minimum rate of 4 1/2 per cent should be paid on the total contribution by the employees and the Company.

(iv) Unclaimed fund should be distributed pro-rata every three years amongst the existing employees from time to time.

(v) Full benefits of the Fund should be permitted to the employees on completion of five years of service.

(vi) Loan from the Provident Fund to the extent of 6 months salary or 90 per cent of the employees' contribution whichever is less shall be granted to the employees at a time.

**Board of Trustees:**

On the Board of Provident Fund Trust, the employees and the employers should have equal number of representatives. The employees' representatives should be elected by themselves by simple majority of votes. Re-election of the employees' representatives should be held every three years unless necessitated earlier by death or resignation or recall by a majority of the employees.

**XIII. Leave:**

**Casual Leave.**—15 days casual leave should be given in a calendar year. 6 days casual leave may be granted at a stretch. Casual leave may be prefixed or suffixed to holidays and Sundays.

**Privilege (Earned) Leave.**—Privilege leave should be allowed to all employees at the rate of 1 days for every 11 calendar days. Employees should be allowed to accumulate leave upto 6 months. Return fare to the employee, his wife and dependents should be granted once in two years for going anywhere in India.

**Sick Leave.**—Thirty days sick leave per year should be allowed on full pay to the employees with a maximum accumulation of 12 months during the service period.

In case of prolonged illness further sick leave with half pay should be allowed upto six months and another six months without pay.

**Maternity Leave.**—Maternity leave upto the period of three months shall be allowed to all female employees; but in no case more than six weeks leave will be allowed from the date of confinement.

**Examination Leave.**—Employees shall be allowed adequate leave for appearing in all the recognised examinations in addition to all other leave.

**Special leave.**—Adequate leave shall be allowed to the Union Representatives and Office bearers of the All India Insurance Employees' Association and/or its affiliated Units to enable them to attend meetings and conferences of the Unions and their Central Organisations and to participate in the Tribunals and Conciliations Proceedings.

**XIV. Security of Service:**

No employee shall be victimised for trade union activities.

**XV. Working Hours:**

The working hours for employees in Grades C, D and E shall be 33 hours a week and 36 hours for employees in Grades A & B. A grace time of 15 minutes shall be allowed before they are marked late.

**XVI. Bonus:**

**Customary.**—Employees shall be paid three months basic salary as bonus per year.

**XVII. Uniforms to Employees in the Grades A & B:**

An employee of Grades A & B shall be provided with the following outfit annually:—

1. Summer Uniforms: Three sets.
2. Umbrella: One.
3. Footwear: Two pairs.
4. Rain Coat: One for those who are to do outdoor duties.
5. Caps or Turbans.

**XVIII. Allowance during suspension:**

During the suspension of an employee, he shall be paid an allowance equal to 75 per cent of his total wages.

**XIX. Recruitments:**

Recruitment shall be made from amongst the retrenched employees of the General Insurance Industry, registered in the Pool as demanded in the resolution adopted in the All India Convention of General Insurance Employees held on the 15th and 16th August, 1960, in Bombay under the auspices of the All India Insurance Employees' Association. Only in case such employees are not available in the Pool, recruitment might be made through local Employment Exchanges. In case of recruitment from among the retrenched employees, due credit shall be given to the past service and all restriction regarding age, educational qualifications, etc., applicable to new recruits shall be waived.

**XX. Confirmation:**

Employees shall be confirmed after 3 months probationary service automatically.

**XXI. Temporary staff:**

The Company may employ temporary employees for performing duties of purely temporary nature. But such staff in no instance shall exceed more than 6 months in temporary service, after which he shall be treated automatically in permanent service from the date of appointment.

**XXII. Promotion:**

No direct recruitment shall be made in Grades D & E and all vacancies in these Grades shall be filled in by way of promotion. The promotions shall be made on the basis of seniority and merits of the employees. Employees in Grades A & B shall be absorbed in Grade 'C' on passing S.S.C., S.S.L.C. or equivalent.

**XXIII. Transfer:**

No employee shall be transferred from one place to another without his prior consent.

**XXIV. Date of effect:**

All benefits stated in this Charter of Demands shall have effect from 1st April, 1964.

**XXV. Trade Union Rights:**

The All India Insurance Employees' Association and its affiliated Units shall be given due recognition and such facilities as providing Trade Union Offices and holding Trade Union Meetings in office premises and hanging Notice Board of the Union should be granted.

## XXVI. Existing rights and privileges:

Nothing contained in this Charter shall adversely affect or take away from any employee or group of employees any right, privileges or usages, practice or conventions, amenities or enjoyed by such employee or group of employees.

[No. 74(2)/66-LRIV.]

S. A. SESHAN, Under Secy.

## (Department of Labour &amp; Employment)

New Delhi, the 11th March 1966

**S.O. 830.**—In exercise of the powers conferred by the sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints Shri Radhey Lall, Adult Education Instructor, Welfare Centre at Palana (Bikaner) under the Coal Mines Labour Welfare Organisation, to be an Inspector of Mines subordinate to the Chief Inspector for coalfields in India.

[No. 1/3/66/MII.]

## CORRIGENDUM

New Delhi, the 11th March 1966

**S.O. 831.**—In the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 251 dated the 6th January, 1966 published in the Gazette of India, Part II, Section 3, Sub-section (ii), at pages 205 to 207.

For the entries under the heading Statement of accounts 1964-65, substitute the following:—

Receipts:	Expenditure
Opening balance on 1st April, 1964.	Expenditure during the year.
	Rs. 2,77,56,384.82
Receipts during the year. Rs. 1,67,99,984.00	Closing balance on 31st March, 1965. Rs. 2,96,36,805.79

TOTAL	Rs. 4,45,56,368.82	TOTAL	Rs. 4,45,56,368.82
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[No. 16/56/65-MII.]

R. C. SAKSENA, Under Secy.

(Department of Rehabilitation)  
(Office of the Chief Settlement Commissioner)

New Delhi, the 4th March 1966

**S.O. 832.**—In exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act 1954 (44 of 1954), the Central Government hereby appoints for the State of Maharashtra the following Officers of the State Government of Maharashtra as Managing Officers for the purpose of performing in addition to their own duties the functions assigned to a Managing Officer for the custody, management and disposal of compensation pool:—

1. Personal Assistant-cum-Asstt. Administrator, Ulhasnagar Township.
2. Asstt. Administrator, Ulhasnagar Township.
3. Mamlatdar (Rehabilitation Branch) office of the Additional Collector, B.S.D. Bombay.
4. Assistant Collector, Jalgaon Division.
5. Assistant Collector, Amalner Division.
6. Peasant Officer, Community Development, Jalgaon Collectorate.
7. Resident Deputy Collector, Ahmednagar.
8. Sub-Divisional Officer, Wardha, Hinganghat and Arvi.
9. Tehsildars, Wardha, Hinganghat and Arvi.
10. Sub-Divisional Officer and Assistant Custodian of Evacuee Properties, Akola.
11. Sub-Divisional Officer and Assistant Custodian of Evacuee Properties, Akot.

12. Sub-Divisional Officer and Assistant Custodian of Evacuee Properties, Washim.
13. Sub-Divisional Officer and Assistant Custodian of Evacuee Properties, Buldhana.
14. Sub-Divisional Officer and Assistant Custodian of Evacuee Properties, Malkapur.
15. Sub-Divisional Officer and Assistant Custodian of Evacuee Properties, Khamgaon.
16. Sub-Divisional Officer, Bhandara.
17. Sub-Divisional Officer, Gondia.
18. Special Land Acquisition Officer, 5, Poona (P.A.F.A.Q.).
19. Officer Incharge, Gandhinagar, Colony, Kohlapur.

[No. 10(8)AGZ/66.]

New Delhi, the 5th March 1966

**S.O. 833.**—In exercise of the powers conferred by Sub-Section (I) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints Shri B. B. Agarwal, as Assistant Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the forenoon of the 17th February, 1966.

[No. 8/79/AGZ/66.]

New Delhi, the 11th March 1966

**S.O. 834.**—Whereas the Central Govt. is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the Union Territory of Delhi for public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced persons (Compensation and Rehabilitation) Act, 1954, it is notified that the Central Govt. has decided to acquire, and hereby acquires the evacuee properties specified in the Schedule hereto annexed.

## THE SCHEDULE

## List of Urban area of Village Kilotri.

Khewat No.	Khasra No.	Area Big. Bis.	Name of the evacuee with rights in the property
			4
13	1052 min	2	8
	505	6	12 Kalwa s/o Majid & Risal s/o Ivas Gairuddin
	1052 min	2	0 s/o Bundu, Ramzani, Sharfu s/o Mehr
	952	1	Evacuee ownership rights.
	953	0	8
	954	12	8
	309	1	0
	734	2	6
	306	2	10
	307	3	3
	1048	3	19
	1001	6	12
	511	6	9
	733	2	6
	1031 min	2	16
	305	4	9
	298	2	8
	1031	0	12
	1031 min	1	0
	1045/354	1	4

1	2	3	4
		Big.	Bis.
748		3	18
749		1	14
290	min	0	13
303		5	2
290	min	0	13
303	min	1	9
303	min	1	10
1010	min	2	12
303	min	2	10
308		1	0
749	min	1	15
1052		4	8
1049/1		0	18
1049/3		0	4
528		2	15
536		1	5
528		2	15
536	min	1	5
1049/4		0	7
1049/5		2	13
1260/535		1	10
		103	12

[No. F. 1(2)/65-L&amp;R.]

A. G. VASWANI,

Settlement Commissioner (A) &amp; Ex-Officio Under Secy.

## DEPARTMENT OF SOCIAL WELFARE

New Delhi, the 10th March 1966

**S.O. 835.**—In exercise of the powers conferred by clause (1) of article 290 of the Constitution, the President hereby directs that the undermentioned instruments may be executed on his behalf by the Under Secretary in the Department of Social Welfare.

“Contracts relating to (i) Grants-in-aid and (ii) Maintenance Grants to the Voluntary Organisations for the Handicapped, Social Welfare and Social Service”.

[No. F.2-32/65-SW.7.]

V. P. AGNIHOTRI, Dy. Secy.

## MINISTRY OF FOOD, AGRICULTURE COMMUNITY DEVELOPMENT AND COOPERATION

(Department of Agriculture)

New Delhi, the 10th March 1966

**S.O. 836.**—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby amend the Chillies Grading and Marking Rules, 1962, the same having been previously published as required by the said section, namely:—

1. These rules may be called the Chillies Grading and Marking (Amendment) Rules, 1966.
2. In the Chillies Grading and Marking Rules, 1962—
  - (1) in Schedule I.—
    - (i) in the heading, the words “produced in the State of Madras” shall be omitted;

- (ii) in column 1, the letter "M", wherever it occurs, shall be omitted;
- (iii) in column 2, the word "Madras", wherever it occurs, shall be omitted;
- (iv) in the footnote, against the item "Foreign matter", for the letters and words "MSS and MSG and MS Grades", the letters and words "SS and SG and ST Grades" shall be substituted;

(2) in Schedule II,—

- (i) in the heading, the word "produced in the State of Madras" shall be omitted;
- (ii) in column 1, the letter "M", wherever it occurs, shall be omitted;
- (iii) in column 2, the word "Madras", wherever it occurs, shall be omitted;
- (iv) in the footnote, against the item "Foreign matter", for the letters and words "MSS Grade and MSG Grade", the letters and words "SS Grade and SG Grade" shall be substituted;

(3) in Schedule III.—

- (i) in the heading, the words "produced in Ramnathpuram District of Madras State" shall be omitted;
- (ii) in column 1, the letter "M" occurring before the letters "MS" and "MG" shall be omitted;
- (iii) in column 2, the word "Madras", wherever it occurs, shall be omitted;

(4) in Schedule IV,—

- (i) in the heading, the words "produced in the State of Bihar" shall be omitted;
- (ii) in column 1, the letter "B", wherever it occurs, shall be omitted;
- (iii) in column 2, the word "Bihar", wherever it occurs, shall be omitted;
- (iv) in the footnote, against the item "Foreign matter" for the letters "BR'S", and "BRG", the letters "RS" and "RG" shall respectively be substituted;

(5) in Schedule V,—

- (i) in the heading, the words "produced in the State of Bihar" shall be omitted;
- (ii) in column 1, the letter "B" wherever it occurs, shall be omitted;
- (iii) in column 2, the word "Bihar", wherever it occurs, shall be omitted;
- (iv) in the footnote, against the item "Foreign matter" for the letters "BGS", and "BGG", the letters "GS" and "GG" shall respectively be substituted;

[No. F.15-2/65-AM.]

SANTOKH SINGH, Under Secy.

**(Department of Agriculture)**

New Delhi, the 8th March 1966

**S.O. 837.**—In exercise of the powers conferred by section 38 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960), the Central Government hereby makes the following rules to amend the Prevention of Cruelty to Animals (Licensing of Farriers) Rules, 1965, the same having been previously published as required by the said section, namely:—

**THE PREVENTION OF CRUELTY TO ANIMALS (LICENSING OF FARRIERS)  
AMENDMENT RULES, 1966**

1. These rules may be called the Prevention of Cruelty to Animals (Licensing of Farriers) Amendment Rules, 1966.

2. In the Prevention of Cruelty to Animals (Licensing of Farriers) Rules, 1965—

- (i) after rule 10, the following rule shall be inserted, namely:—  
"10A. An appeal shall lie from any order refusing or cancelling a license under these rules to such authority as the State Government may, by notification in the Official Gazette, specify for the purpose."

(ii) in the Annexure, under the heading "Conditions of license", for condition (2), the following shall be substituted, namely:—

"(2) During the continuance of the licence, the licensee shall be bound to produce for inspection during normal working hours and at his place of business all the tools and other implements in his possession and kept for the purpose of his business if a demand for the production of the same is made by the licensing authority."

[No. 19-13/65-LD.]

K. C. SARKAR, Under Secy.

### MINISTRY OF HEALTH

New Delhi, the 10th March 1966

**S.O. 838.**—Whereas Dr. R. S. Padmanabhan, Z.D.S. (Vienna), 29, Vanivilas Road, Basavanagudi, Bangalore-11, has been elected under clause (a) of section 3 of the Dentists Act, 1948 (16 of 1948), to be a member of the Dental Council of India from the State of Mysore with effect from the 22nd January, 1966 vice Dr. Sangameshwar Sardar;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby appoints Dr. R. S. Padmanabhan as a member of the Dental Council of India and makes the following further amendment in the notification of the Government of India in the Ministry of Health No. F.3-2/62-MII, dated the 17th October, 1962, namely:—

In the said notification, under the heading "Elected under clause (a) of section 3", for the entry against serial No. 10, the following entry shall be substituted, namely:—

"Dr. R. S. Padmanabhan, Z.D.S. (Vienna), 29, Vanivilas Road, Basavanagudi, Bangalore-11".

[No. F.3-2/65-MPT.]

**S.O. 839.**—In exercise of the powers conferred by sub-section (4) of section 13 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following amendment in Part II of the Third Schedule to the said Act, namely:—

In the said Part of the Third Schedule, after the entry "M.B.B.S. (Rajshahi—East Pakistan)", the following entry shall be inserted, namely:—

"MD. (Genova—Italy)".

[No. F.18-36/65-MPT.]

### ORDER

New Delhi, the 15th March 1966

**S.O. 840.**—Whereas the Government of India in the Ministry of Health has, by notification No. F.5-10/59MI, dated the 1st April, 1960, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. granted by the North Western University Medical School, Chicago, Illinois, U.S.A. for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the 1st October, 1965, or so long as Dr. Frederick W. Munson who possesses the said qualification, continues to work in the Willis F. Pierce Memorial Hospital, Wai, Satara District to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. Frederick W. Munson shall be limited.

[No. F.18-73/65-MPT.]

K. M. L. GUPTA, Under Secy.

## DEPARTMENT OF COMMUNICATIONS

(P. &amp; T. Board)

New Delhi, the 28th February 1966

**S.O. 841.**—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24, read with rule 34, of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Communications (Posts and Telegraphs) No. S.R.O. 620, dated the 28th February, 1957, namely:—

In the Schedule to the said notification—

(1) in Part II—General Central Service, Class III—

(a) for the heading “Circle Offices and Returned Letter Offices including the Office of the Director, Telecommunications Training Centre” in column (1), the following heading shall be substituted, namely:—

“Circle Offices and Returned Letter Offices”

(b) for the heading “Telegraph Engineering Divisions and Sub-Divisions including Regional or Circle Telecommunications Training Centres” in column (1), the following heading shall be substituted, namely:—

“Telegraph Engineering Divisions and Sub-Divisions including Telecommunications Training Centres”

(2) In Part III—General Central Service, Class IV—

(a) for the heading “Circle Offices and Returned Letter Offices including the Office of the Director, Telecommunications Training Centre” in column (1), the following heading shall be substituted, namely:—

“Circle Offices and Returned Letter Offices”

(b) for the heading “Telegraph Engineering Divisions and Sub-Divisions including Regional or Circle Telecommunications Training Centres” in column (1), the following heading shall be substituted, namely:—

“Telegraph Engineering Divisions and Sub-Divisions including Telecommunications Training Centres”.

[No. 44/8/65-Disc.]

D. K. AGARWAL,  
Assistant Director General

New Delhi, the 1st March 1966

**S.O. 842.**—In pursuance of sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24, read with rule 34, of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Communications No. SRO 631-B dated the 28th February, 1957, namely:—

In the Schedule to the said notification, in Part II, General Central Service, Class III, under the heading “Monitoring Organisation”, for the existing entries in column 1, the following entry shall be substituted, namely:—

“All posts”.

[No. 5-E(57)/84.]

T. R. MANTAN, Dy. Secy.

## संचार विभाग

मई विल्सनी, 1 मार्च, 1966

एस० ओ० 843.—केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण तथा अपील) नियमों, 1965, के नियम 9 के उप-नियम (2), नियम 12 के उप-नियम (2) की धारा (ख) और नियम 24 के उप-नियम (1) के साथ नियम 34 के सह-पाठ के अनुसार, राष्ट्रपति एतद्वारा भारत सरकार के भूतपूर्व संचार मंत्रालय की अधिसूचना स० एस० ओ० 631-ख दिनांक 28 फरवरी 1957 में निम्नलिखित और संशोधन करते हैं, नामत :—

उक्त अधिसूचना की अनुसूची में खण्ड II, सामान्य केन्द्रीय सेवा, श्रेणी III में, “अनुश्वरण संघटन” (मानिटरिंग आर्गेनिजेशन) के नीचे स्तरभ 1 में विद्यमान प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित कर दी जायेगी, नामत :—

“सभीपद”

[नं० 5-E (57)/64]

टी. ओ० मण्टन, उप-सचिव।

## MINISTRY OF TRANSPORT AND AVIATION

(Department of Aviation)

New Delhi, the 11th March 1966

S.O. 844.—Whereas on the 7th February, 1966, a Dutch registered Fokker Friendship aircraft PH-SAB, on charter to Indian Airlines Corporation, while on a scheduled passenger flight from Srinagar to New Delhi via Jammu and Amritsar, crashed near Banjhal Pass, resulting in the death of all the 33 passengers, including one infant and 4 members of the crew;

And whereas it appears to the Central Government that it is expedient to hold formal investigation into the circumstances of the said accident;

Now, therefore, in exercise of the powers conferred by rule 75 of the Indian Aircraft Rules, 1937 the Central Government hereby directs that a formal investigation of the said accident be held.

The Central Government is further pleased to appoint Shri G. D. Khosla, Retired Chief Justice of the Punjab High Court to hold the said investigation.

The Central Government is also pleased to appoint:

(1) Shri G. C. Arya, Deputy Director General, Civil Aviation Department,

(2) Shri Y. R. Malhotra, Director of Air Safety, Civil Aviation Department and

(3) Gp. Capt. H. D. Mehra, Indian Air Force,

to act as assessors to the said investigation.

[No. F. 7-A/11-66.]

S.O. 845.—Whereas an Indian Airlines Corporation Caravelle aircraft VT-DPP, while on a scheduled passenger flight from Calcutta to Delhi, crash-landed at Palam on the 15th February, 1966, resulting in the total destruction of the aircraft;

And whereas it appears to the Central Government that it is expedient to hold formal investigation into the circumstances of the said accident;

Now, therefore, in exercise of the powers conferred by rule 75 of the Indian Aircraft Rules, 1937 the Central Government hereby directs that a formal investigation of the said accident be held.

The Central Government is further pleased to appoint Shri G. D. Khosla, Retired Chief Justice of the Punjab High Court to hold the said investigation.

The Central Government is also pleased to appoint:

- (1) Shri G. C. Arya, Deputy Director General, Civil Aviation Department,
- (2) Shri Y. R. Malhotra, Director of Air Safety, Civil Aviation Department,
- (3) Shri A. B. Advani, Chief Fire Officer, Delhi Fire Service, and
- (4) Gp. Capt. H. D. Mehra, Indian Air Force,

to act as assessors to the said investigation.

[No. F. 7-A/13-66.]

S. N. KAUL, Under Secy.

### MINISTRY OF INDUSTRY

New Delhi, the 15th February 1966

**S.O. 846.**—In pursuance of conditions (viii) and (xi) of the Licence for the manufacture of salt issued under rule 103 of the Central Excise Rules, 1944, the Central Government hereby declares that, with immediate effect, 25 per cent of the salt produced in the salt works located on the coast line of Saurashtra and Kutch in the State of Gujarat shall—

- (i) contain not less than 98.5 per cent NaCl (Sodium Chloride) on dry basis, the moisture content in it being not more than 3 per cent at the time of its export;
- (ii) be absolutely white in colour and free from extraneous matter; and
- (iii) be stored separately and set apart for export to foreign countries.

[No. F. 13(7)/65-Salt.]

R. S. CHADHA, Under Secy.

### उद्योग मंत्रालय

नई दिल्ली, 15 फरवरी, 1966

**एस० ओ० 847**—केन्द्रीय उत्पादन शुल्क नियम, 1944 के नियम 103 के अधीन जारी की गई नमक के विनियोग की अनुमति की शर्त (viii) और (xi) के अनुसरण में, केन्द्रीय सरकार गृहद्वारा घोषित करती है कि तलकाल दो गुजरात राज्य में सौगाढ़ और कच्छ की नटरेखा पर स्थित नमक सकर्मों में उत्पादित नमक—

- (1) के 25 प्रतिशत में एन० ए० सी० एन० (सॉडियम क्लोराइड) शुल्क आधार पर अन्यून 98.5 प्रतिशत होगा और उसमें नमी की मात्रा उसके नियति के समय अनधिक 3 प्रतिशत होगी;
- (2) का 25 प्रतिशत रंग में बिन्दुन मरें और बाह्य पर्यार्थ से मुक्त होगा; तथा
- (3) का 25 प्रतिशत अन्वा से परिमंगलीत किया जायेगा और उसे विदेशों को नियति के लिये अलग रखा जायेगा।

[मिमिल नं० 13(7)/65-सल्ट.]

आर० एस० चड्हा, अवर सचिव ।

## ORDER

New Delhi, the 11th March 1966

**S.O. 848.**—Whereas departmental proceedings under Central Civil Services (Classification, Control and Appeal) Rules, 1965 are pending against Shri Shyam Singh Raut, Lower Division Clerk, Industrial Extension Centre, Kolhapur, under Small Industries Service Institute, Bombay;

And whereas the post of Director, Small Industries Service Institute, Bombay, who is the disciplinary authority, according to the schedule to the Notification of the Government of India, in the late Ministry of Commerce and Consumer Industries No. SRO 631, dated 28th February 1957, as amended by Ministry of Industry and Supply Notification No. F. 4/1/64-V1g, dated 27th August 1964 (issued under S.R. 3331), is lying vacant;

Now, therefore, the President in exercise of the powers conferred by Clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule (24) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 hereby orders that the Director, Small Industries Service Institute, Ahmedabad will act as the disciplinary authority for imposing all the penalties mentioned in rule 11 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 and Development Commission (Small Scale Industries) will act as the Appellate Authority in the instant case.

[No. 4/1/64-V1g.]

N. CHIDAMBARAM, Dy. Secy.

## (Indian Standards Institution)

New Delhi, the 4th March 1966

**S.O. 849.**—In licence No. CM/L-412 dated 30 April 1962 held by M/s. Dalmia Iron & Steel Limited, P.O. Suckchar, District 24-Parganas, West Bengal, the details of which are published under S.O. 2181 in the Gazette of India, Part II, Section 3, Sub-section 3(ii) dated 3 July 1965, the name of the firm has been changed as M/s. Electosteel Castings Limited, P.O. Suckchar, District 24-Parganas, West Bengal with effect from 28 February, 1966.

[No. MD/12:759.]

New Delhi, the 9th March 1966

**S.O. 850.**—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that Certification Marks Licence No. CM/L-155, particulars of which are given in the Schedule hereto annexed, has been cancelled with effect from 1 January, 1966.

## THE SCHEDULE

Sl. No.	Licence No. and date	Name and address of the Licencee	Article/Process covered by the Licence	Relevant Indian Standard
1	CM/L-155 16-II-1959	M/s. Bombay Chemicals Pvt. Ltd., 129, Mahatma Gandhi Road, Fort, Bombay-I.	Pyrethrum extracts	IS: 1051-1957 Specification for pyrethrum extracts.

[No. MD/12:225.]

New Delhi, the 10th March 1966

**S.O. 851.**—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that thirteen licences, particulars of which are given in the Schedule hereto annexed, have been granted authorizing the licensees to use the Standard Mark.

THE SCHEDULE

Sl. No.	Licence No. and date	Period of Validity		Name and Address of the Licensee	Article/Process Covered by the Licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-1205 2-2-1966	16-2-66	15-2-67	M/s. Rajkamal Water Meter Mfg. Co., Shed No. Z 849, Howrah Industrial Estate, Howrah (having their office at 75 Netaji Subhas Road, Calcutta-1).	Water meters (domestic type), 15 mm size, 'RAWACO' brand.	IS: 779-1965 Specification for water meters (domestic type) (second revision).
2	CM/L-1206 4-2-1966	16-2-66	15-2-67	M/s. U. P. Cable Co., 4 D.L.F. Industrial Area, Najafgarh Road, New Delhi (having their office at Old Ganesh Mills Building, Kishanganj, Delhi).	Single core (unsheathed) PVC insulated cables with aluminium conductors 250/440 volts grade only 'Upica' brand.	IS: 694 (Part I)-1964 Specification for PVC insulated cables (for voltages up to 1,100 volts) with aluminium conductors (revised)
3	CM/L-1207 4-2-1966	1-3-66	28-2-67	M/s. Power Cables Pvt. Ltd., Vithalwadi, Kalyan, (Maharashtra State).	Mild steel wire for general engineering purposes.	IS: 280-1962 Specification for mild steel wire for general engineering purposes (revised).
4	CM/L-1208 11-2-1966	16-2-66	15-2-67	M/s. Asmopal Engineering Co., C-16-17 Sri Ram Industrial Estate, Katrak Road, Wadala, Bombay-31.	Three-phase induction motors up to 3 hp only Brands : 'RAJI', 'AEC', 'OMEGA' and 'R.C.'	IS : 325-1961 Specification for three-phase induction motors (second revision).
5	CM/L-1209 15-2-1966	1-4-66	31-3-67	M/s. Hindustan Kokaku Wire Ltd., 12th Milestone, Delhi-Mathura Road, Faridabad, Distt. Gurgaon (Punjab) (having their regd. office at M-10 South Extension, Part II, New Delhi-16).	Steel wire for the core of steel-cored aluminium conductors for overhead power transmission purposes.	IS : 398-1961 Specification for hard-drawn stranded aluminium and steelcored aluminium conductors for overhead power transmission purposes

(1)	(2)	(3)	(4)	(5)	(6)	(7)
6	CM/L-1210 15-2-1966	16-2-66	15-2-67	M/s. Annapurna Biscuits (Mfg.) Co., 84/67 G.T. Road, Kanpur.	Biscuits (excluding wafer biscuits) 'Glucose variety' and 'ANNAPURNA' brand.	IS:1011-1957 Specification for biscuits excluding wafer biscuits.
7	CM/L-1211 16-2-1966	16-3-66	28-2-67	M/s. Fordham Pressings (India) Pvt. Ltd., Bombay Agra Road, Near Pipe Line, Ghatkopar, Bombay-77 (AS) (having their office at Janabhai Mansion, Sir P.M. Road, Bombay-1).	Pressed steel flushing cisterns for water closets and urinals (valveless siphonic type) high-level and low-level, 12.5 litre capacity; 'BINA' and 'DELUXE' brands.	IS:774-1964 Specification for flushing cisterns for water closets and urinals (valveless siphonic type) (second revision).
8	CM/L-1212 24-2-1966	16-3-66	15-3-67	M/s. T. Mankelal Mfg. Co. Ltd., Saki Naka, Kurla Andheri Road, Bombay-70 (having their office at Vaswani Mansions, Dinsa Vacha Road, Bombay-1).	Rubber hot-water bottles, size 25x19 cm, 'Matchless' brand.	IS:1867-1961 Specification for rubber hot-water bottles.
9	CM/L-1213 28-2-1966	1-3-66	28-2-67	The Hindustan Mineral Products Co. Pvt. Ltd., Plot No. 27, Manganese Depot, Sewri, Bombay-15 (having their regd. office at 111 Industrial Area, Sion, Bombay-22).	DDT dusting powders.	IS:564-1961 Specification for DDT dusting powders.
10	CM/L-1214 28-2-1966	1-3-66	28-2-67	M/s. Thakurdass Sureka Iron Foundry Ltd., 10 Goho Road, Ghusury, Howrah (having their office at 172 Jogen德拉-nath Mukherjee Road, Salkia, Howrah).	Cast iron flushing cisterns for water closets and urinals (bell type) high level, 15 litre capacity, 'TIGER' brand.	IS:774-1964 Specification for flushing cisterns for water closets and urinals (valveless siphonic type) (second revision).
11	CM/L-1215 28-2-1966	16-3-66	15-3-67	The Mysore Iron & Steel Ltd., Bhadravati (Mysore State).	Structural steel (fusion welding quality).	IS:2062-1962 Specification for structural steel (fusion welding quality).
12	CM/L-1216 28-2-1966	16-3-66	15-3-67	The Mysore Iron & Steel Ltd., Bhadravati (Mysore State).	Carbon steel bars, billets, blooms and slabs for forgings.	IS:1875-1961 Specification for carbon steel bars, billets, blooms and slabs for forgings.
13	CM/L-1217 28-2-1966	1-3-66	28-2-67	M/s. United Coffee Supply Co. Ltd., 6/9 Trichy Road, Coimbatore.	Soluble coffee powder 'Stanes Instant Coffee' brand.	IS:2791-1964 Specification for soluble coffee powder.

**S.O. 852.**—In pursuance of sub-regulation (1) of regulations 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Government notifies that fortyseven licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Article(s) Covered by the Licence	Relevant Indian Standard(s)
		From	To			
1	2	3	4	5	6	7
1	CM/L-35 4-11-1957	16-11-65	15-11-66	The National Insulated Cable Co. of India Ltd., Shambnagar (W. Bengal) having their Regd. Office at Nicco House, Hare Street, Calcutta-I.	Bare annealed copper wire	IS : 2982-1965 Specification for copper conductors in insulated cables and cords.
2	CM/L-63 7-2-1958	16-2-66	15-2-67	The Indian Turpentine & Rosin Co. Ltd., P.O. Clutterbuckganji, Bareilly (U.P.)	Gum spirit of turpentine (oil of turpentine).	IS : 533/1954 Specification for gum spirit of turpentine (oil of turpentine).
3	CM/L-64 7-2-1958	1-3-66	28-2-67	M/s. Assam Forest Products Private Ltd., Dibrugarh, Distt. Lakhimpur (Upper Assam).	Tea-chest plywood panels.	IS : 10-1953 Specification for plywood tea-chests (revised).
4	CM/L-67 7-2-1958	1-3-66	31-8-66	M/s. Wood Craft Products Ltd. P-46A, C.I.T. Scheme XLV, Radha Bazar Lane, Calcutta-I.	Tea-chest plywood panels.	IS : 10-1953 Specification for plywood tea-chests (revised).
5	CM/L-70 7-2-1958	1-3-66	28-2-67	The Standard Furniture Co. Ltd., Chalakudi, Kerala State.	Tea-chest plywood panels.	IS : 10-1953 Specification for plywood tea-chests (revised).
6	CM/L-116 3-2-1959	16-2-66	15-2-67	M/s. Minerva Plywood Industries, 43/H/1, Chaulpatty Road, (Beliaghata), Calcutta-10.	Tea-chest plywood panels.	IS : 1953 Specification for plywood tea-chests (revised).
7	CM/L-118 19-2-1959	1-3-66	28-2-67	M/s. Bengal Plywood Mfg. Co., 36, Foreshore Road, Shalimar, P.O. Botanic Garden, Howrah.	Tea-chest plywood panels.	IS : 10-1953 Specification for plywood tea-chests (revised).
8	CM/L-166 8-2-1960	1-3-66	28-2-67	M/s. Andamans Timber Industries Ltd., "Khaitan Chambers", 26, Chittaranjan Avenue, Calcutta-12.	Tea-chest plywood panels.	IS : 10-1953 Specification for plywood tea-chests (revised).
9	CM/L-167 22-2-1960	1-3-66	28-2-67	M/s. Shalimar Biscuits Pvt. Ltd., Sun Mill Estate, Sun Mill Road, Lower Parel, Bombay-13.	Biscuits (excluding wafer biscuits).	IS : 1011-1957 Specification for biscuits (excluding wafer biscuits).

(1)	(2)	(3)	(4)	(5)	(6)	(7)
10	CM/L-201 15-6-1960	16-2-66	15-2-67	M/s. Bharat Pulverising Mills Pvt. Ltd., 589, Thiruvottiyur High Road, Madras-19.	DDT water dispersible powder concentrates.	IS:565-1961 Specification for DDT water dispersible powder concentrates (revised).
11	CM/L-258 29-12-1960	15-2-66	15-2-69	M/s. Boots Pure Drug Co. (India) Private Ltd. 17, Nicol Road, Bombay-1.	Copper oxychloride water dispersible powder concentrates.	IS : 1507-1959 Specification for Copper oxychloride water dispersible powder concentrates.
12	CM/L-260 19-1-1961	1-3-66	28-2-67	M/s. Chelpark Company (Private) Limited, 37-L, Mount Road, Guindy, Madras-15.	Ferro-gallo tannate fountain pen ink (0.1 per cent iron content).	IS : 220-1959 Specification for ferro-gallo tannate fountain pen ink (0.1 per cent iron content) (revised).
13	CM/L-261 19-1-1961	1-3-66	28-2-67	M/s. Chelpark Company (Private) Limited, 37-L, Mount Road, Guindy, Madras-15.	Dye based fountain pen inks, blue, green, black and red.	IS : 1221-1957 Specification for dye-based fountain pen inks (Blue, green, violet, black and red).
14	CM/L-272 10-2-1961	16-2-66	15-2-67	M/s. Sahibganj Electric Cables Limited, 49, Palace Court, 1 Kyd. Street, Calcutta-16.	Aluminium conductor steel reinforced and all aluminium conductors.	IS : 398-1961 Specification for hard-drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes (revised).
15	CM/L-275 15-2-1961	1-3-66	28-2-67	M/s. Sudhir Chemical Company, 248—Samual Street, Wadigadi, Bombay-3.	Copper oxychloride water dispersible powder concentrates.	IS: 1507-1959 Specification for copper oxychloride water dispersible powder concentrates.
16	CM/L-278 27-2-1961	1-3-66	28-2-67	M/s. Aluminium Cables & Conductors (U.P.) Private Ltd., 47, Hide Road Extension, Calcutta.	All aluminium conductors and aluminium conductor steel reinforced.	IS : 398-1961 Specification for hard-drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes (revised).
17	CM/L-279 27-2-1961	1-3-66	28-2-67	M/s. Jawala Flour Mills, 33, Naijargarh Industrial Area, New Delhi-15.	Maida, grade high gluten.	IS : 1009-1957 Specification for maida.
18	CM/L-357 20-11-1961	1-3-66	28-2-67	M/s. Electrical and Mechanical Corporation (India), E-4, Industrial Area, Jullundur City (Punjab).	Metal clad switches, 15 amp., 250 volts, with MEM type fuse base and carrier.	IS : 1567-1960 Specification for metal clad switches (current rating not exceeding 100 amperes).

19	CM/L-379 25-1-1962	16-2-66	15-2-67	The National Screw and Wire Products Ltd., Belur, P.O. Belur Math, Distt. Howrah having their Regd. Office at 51, Stephen House, 4, Dalhousie Square East, Calcutta-1.	Hard-drawn stranded aluminium and steel cored aluminium conductors for overhead power transmission purposes.	IS: 398-1961 Specification for hard-drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes (revised).
20	CM/L-381 9-2-1962	16-2-66	15-2-67	M/s. Pesticides India, Udaisagar Road, Udaipur.	BHC dusting powders.	IS: 561-1962 Specification for BHC dusting powders (second revision).
21	CM/L-382 9-2-1962	1-3-66	28-2-67	M/s. Narhari Engineering Works, Shah Industrial Estate, Amboli Hill, Versova Road, Andheri (East), Bombay-58 having their office at 480 Kalbadevi Road, Bombay-2.	Three-phase induction motors up to 3 HP only.	IS : 325-1961 Specification for three-phase induction motors (second revision).
22	CM/L-474 23-11-1962	16-2-66	15-2-67	M/s. Indian Mineral Industries Ltd., 22/1, Dum Dum Road, Calcutta-2.	BHC dusting powders.	IS : 561-1962 Specification for BHC dusting powders (second revision).
23	CM/L-496 9-1-1963	23-2-66	15-2-67	M/s. Sarvjit Electric Works, Rurka Road, Goraya (N. Rly.), Distt. Jullundur (Punjab).	Metal clad switches, 15 amp., 250 volts, with MEM type fuse base and carrier.	IS : 1567-1960 Specification for metal clad switches (current rating not exceeding 100 ampere).
24	CM/L-506 13-2-1963	1-3-66	28-2-67	The Great Indian Ply wood Manufacturing Company, 76, Jessore Road, Dum Dum, Calcutta-28.	Tea-chest metal fittings.	IS: 10-1964 Specification for plywood tea-chests (second revision).
25	CM/L-617 10-1-1964	16-12-66	15-2-67	The Bhor Industries Ltd., 392, Cadell Road, Bombay-28 having their Regd. office at Sir Vithaldas Chambers, 16, Apollo Street, Fort, Bombay -I.	Vinyl coated fabrics (leather cloth) RAJA BRAND.	IS: 1259-1962 Specification for vinyl coated fabrics (leather cloth) (revised).
26	CM/L-618 10-1-1964	16-2-66	15-2-67	M/s. Indian Malleable Castings Ltd., P. O. Domchanch, Distt. Hazaribagh (Bihar) having their Regd. office at 4 Lyons Range, Clacutta-1.	Bicycle frames.	IS: 623-1963 Specification for bicycle frames (revised).

(1)	(2)	(3)	(4)	(5)	(6)	(7)
27	CM/L-620 17-I-1964	16-2-66	15-2-67	M/s. Roofrite Private Ltd., Daulatabad Road, Gurgaon, Pb. Near Railway Station having their office at Cottage No. 18, West Patel Nagar, New Delhi-12.	Bitumen felts for waterproofing and damp-proofing, type 3, grade 1 Brand name "ROOFRITE"	IS : 1322-1965 Specification for bitumen felts for water proofing and damp-proofing (revised).
28	CM/L-621 22-I-1964	1-3-66	28-2-67	M/s. Pesticides India, Udaisagar Road, Udiapur.	BHC water dispersible powder concentrates.	IS : 562-1962 Specification for BHC water dispersible powder concentrates (second revision).
29	CM/L-622 23-I-1964	1-3-66	28-2-67	M/s. R. N. Datta & Co., 30 Bediadanga Second Lane, Calcutta-39 having their office at 12, Rabindra Sarani (Lower Chitpur Road), Calcutta-1.	Steel conduits for electrical wiring.	IS: 1653-1964 Specification for rigid steel conduits for electrical wiring. (revised).
30	CM/L-624 23-I-1964	1-3-66	28-2-67	M/s. Polymer Products Co., Opp. Indian Cork Mills, Saki Vihar, Lake Road, Bombay-70.	Plastic water-closet seats and covers (phenolic plastics and Aminoplastics) Brand name "COMMANDER".	IS: 2548-1963 Specification for plastic water-closet seats and covers.
31	CM/L-625 30-I-1964	1-3-66	28-2-69	The Tata Iron & Steel Co. Ltd., Jamshedpur.	Structural steel (fusion welding quality).	IS: 2062-1960 Specification for structural steel (fusion welding quality).
32	CM/L-838 23-II-1964	1-12-65	30-II-66	M/s. Associated Industrial Corporation, 39 Factory Area, Fazalganj, Kanpur.	18-litre square tins.	IS : 916-1958 Specification for 18-litres square tins.
32	CM/L-990 11-I-1965	16-2-66	15-2-67	M/s. Asiatic Plywood Industries, Barrackpore Trunk Road, Panibati, 24 Parganas having their office at 30, Strand Road, Calcutta-1.	Tea-chest plywood panels.	IS: 10-1964 Specification for plywood tea-chests (second revision)
34	CM/L-992 25-I-1965	1-2-66	31-I-67	M/s. Yawalkar Insecticides & Chemicals, 20, Industrial Estate, Kamptee Road, Nagpur-4 having their office at Khare Town, Dharampeth, Nagpur-1.	Formulations based on phenyl mercury acetate.	IS: 2357-1963 Specification for formulations based on phenyl mercury acetate.

35	CM/L-998 27-1-1965	16-2-66	15-2-67	M/s. M. L. Day & Co., 28, B.T. Road, Cossipore, Calcutta-2, having their office at 57-B, Chittaranjan Avenue, Calcutta-12.	Steel drums 3 litres, 5 litres, 10 litres, 15 litres, 20 litres and 25 litres capacity, grade B <sub>2</sub> (ungalvanized) steel drums 25 litres capacity, grade B <sub>1</sub> (ungalvanized).	IS : 2552-1963 Specification for steel drums (galvanized and ungalvanized).
36	CM/L-1000 29-1-1965	1-3-66	28-2-67	M/s. Moti Electric Industries, 15-A, Najafgarh Road, New Delhi-15.	(i) PVC insulated and PVC sheathed cables with copper conductor, 250 volts grade.  (ii) PVC insulated cables, un-sheathed with copper conductor, 659 volts grade.	IS: 694 (Part I)-1964 Specification for PVC insulated cables (for voltages up to 1100 volts) with copper conductors (revised).
37	CM/L-1002 29-1-1965	1-3-66	28-2-67	M/s. Electronic & Industrial Instruments Co. Pvt. Ltd., B-17, Industrial Estate, Sanatan-nagar Hyderabad-18.	Laboratory deflection pH meters.	IS: 271-1964 Specification for laboratory deflection pH metres.
38	CM/L-1003 8-2-1965	16-2-66	15-2-67	The Singh Engineering Works, (P) Ltd., 84/54 G. T. Road, Kanpur (U.P.)	Structural steel (standard quality)	IS: 226-1962 Specification for structural steel (standard quality) (third revision).
39	CM/L-1004 8-2-1965	16-2-66	15-2-67	The Singh Engineering Works (P) Ltd., 84/54, G. T. Road, Kanpur (U.P.)	Structural steel (ordinary quality).	IS: 1977-1962 Specification for structural steel (ordinary quality).
40	CM/L-1005 8-2-1965	16-2-66	15-2-67	The Singh Engineering Works (P) Ltd., 84/21 Fazalganj, Factory Area, Kanpur (U.P.)	Structural steel (standard quality).	IS: 226-1962 Specification for structural steel (standard quality) (third revision).
41	CM/L-1006 8-2-1965	16-2-66	15-2-67	The Singh Engineering Works (P) Ltd., 84/21 Fazalganj, Factory Area, Kanpur (U.P.)	Structural steel (ordinary quality).	IS: 1977-1962 Specification for structural steel (ordinary quality).
42	CM/L-1007 8-2-1965	16-2-66	15-2-67	M/s. B. R. Herman & Mohatta (India) Private Ltd., Ulhas-nagar, Kalyan, Bombay.	Structural steel (standard quality).	IS : 226-1962 Specification for structural steel (standard quality) (third revision).
43	CM/L-1008 8-2-1965	16-2-66	15-2-67	M/s. B. R. Herman & Mohatta (India) Private Ltd., Ulhas-nagar, Kalyan, Bombay.	Structural steel (ordinary quality).	IS : 1977-1962 Specification for structural steel (ordinary quality).

(1)	(2)	(3)	(4)	(5)	(6)	(7)		
44	CM/L-1009 9-2-1965	1-3-66	28-2-66	M/s. U.P. Cable Company, 4 D.L.F. Industrial Area, Najafgarh Road, New Delhi having their office at Old Ganesh Building, Kishan ganj, Delhi-6.	Type (1) VIR taped/ untaped braided compoun- ded cables (2) Weather proof cables (3) Tough rubber sheathed cables.	Voltage Grade 250/440 volts 250/440 volts 250/440 volts	Conductor Copper or alu- minium	(i) IS: 434 (Part I)-1964 Speci- fication for rubber-insulated cables with copper conductors (revised). (ii) IS: 434 (Part II)-1964 Speci- fication for rubber insulated cables with aluminium con- ductors (revised).
45	CM/L-1010 10-2-1965	16-2-66	15-2-67	The Plant Protection Products (Private) Ltd., Kodavalur (S. Rly.), Nellore Distt. having their office at 5/355 Stonehousepet, Nellore-2.	Endrin emulsifiable concen- trates.		IS : 1310-1958 Specification for endrin emulsifiable concentrates	
46	CM/L-1013 22-2-1965	1-3-66	28-2-67	M/s. Arail Brothers, 14/4 Mathura Road, Faridabad having their office at Chawri Bazar, Delhi-6.	Cast iron flushing cisterns (bell type) high level, 10 litres, 12.5 litres, and 15 litres capacity, Brand name "SANIFIX".		IS: 774-1964 Specification for flushing cisterns for water closets and urinals (valveless siphonic type) (second revision).	
47	CM/L-1018 26-2-1965	1-3-66	28-2-67	M/s. Mysore Insecticides Co. Pvt. Ltd., 18, Vaidyanatha Mudali Street, Tondiarpet, Madras-21 having their office at 31-A North Beach Road, Madras-1.	BHC emulsifiable concentrates.		IS: 632-1958 Specification for BHC emulsifiable concentrates (revised).	

[No. M.D./33:16/A.]  
D. V. KARMARKAR,  
Joint Director (Marks).

## MINISTRY OF HOME AFFAIRS

New Delhi, the 8th March 1966

**S.O. 853.**—In exercise of the powers conferred by article 239 and the proviso to article 309 of the Constitution, the President is pleased to make the following amendment to the Arrete No. 2154 dated 13th December 1951 fixing the hierarchy, the indiclary classification and the pay of the staff of the local Government cadres of the Judicial Department:—

To Article 1 to the said Arrete, the following proviso shall be added, namely:—

“Provided that a person shall, on and after the 28th February, 1964, be eligible to promotion to Exceptional Class only if he possesses the qualification of Licence en droit.”

[No. F.39(25)/62-Pond.]

V. P. MALHOTRA, Dy. Secy.

New Delhi, the 14th March 1966

**S.O. 854.**—In exercise of the powers conferred under entry 3(c) of Schedule I of GSR 991 of the Arms Rules—Ministry of Home Affairs Notification No. 15/13/59(V)-P.IV dated 13th July 1962, published in the Gazette of India Part II, Section 3, Sub Section (ii) dated 28th July 1962 the Central Government is pleased to specify Shri Pattayat Brundaban Chandra Deb, brother of the Ruler of Baramba (Orissa) as member of his family for the purpose of that entry and directs that the exemption shall be valid in respect of one .12 bore shot gun, one rifle and one revolver/pistol each.

[No. 16/18/65-P.IV.]

**S.O. 855.**—The Central Government is pleased to notify that Sawai Chhote Raja Surendra Vikram Singh Ju Deo, son of the ruler of Ajaigarh, has been nominated by the said ruler for the purpose of entry 2(b) of Schedule I annexed to the Ministry of Home Affairs Notification No. 15/13/59(V)-P.IV, dated the 13th July, 1962 (GSR 991 published in the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 28th July, 1962).

2. This Ministry's Notification No. 16/26/65-P.IV, dated the 24th December, 1965 (published in the Gazette of India, Part II, Section 3, Sub-Section (ii), of 15th January, 1966) is hereby cancelled.

[No. 16/26/65-P.IV.]

G. L. BAILUR, Under Secy.

गृह मन्त्रालय

नई दिल्ली 14 मार्च, 1966

**एस० श्रो० 856.**—सामान्य परिनियत नियम 991 की अनुसूची की प्रविष्टि 3(ग) —गृह-मंत्रालय की अधिसूचना 15/13/59—(बी) —पी० 4 दिनांक 13 जुलाई, 1962 द्वारा प्रदत्त अधिकारी का प्रयोग करते हुए केन्द्रीय सरकार बारंबा (उड़ीसा) के शासक के भाई श्री पत्तायत ब्रुदावन अन्द्राइब को उक्त प्रविष्टि के लिये सहृष्ट अधिसूचित करती है तथा निदेश देती है कि यह छूट एक 12बोर बन्दूक, एक राइफल तथा एक गिस्टोल/रिवाल्वर के बारे में लागू होगी।

[सं 16/18/65-पी० 4]

**एस० श्रो० 857.**—भारत सरकार को यह अधिसूचित करते हुए देखते हैं कि अजयगढ़ (मध्य प्रदेश) के शासक के सुपुत्र सवाई छोटे राजा मुरेन्द्र विक्रम सिंह जू दियो उक्त शासक द्वारा गृह-मंत्रालय की 13 जुलाई, 1962 की अधिसूचना संख्या 15/13/59—(5) —पी० (4) के साथ संलग्न प्रथम

अनुसूची की प्रविधि 2(ख) (भारत सरकार के राजपत्र भाग ii खण्ड 3, उपखण्ड (ii) दिनांक 28 जुलाई, 1962 में प्रकाशित जी० एस० आर० संख्या 991) के लिए नामित किए गए हैं।

2—इस मंत्रालय द्वारा जारी की गई अधिसूचना संख्या 16/2/65/-पी० 4 दिनांक 24 दिसम्बर, 1965 (भारत सरकार के राजपत्र भाग ii, खण्ड 3, उपखण्ड (ii) दिनांक 15 जनवरी, 1966 में प्रकाशित) को रद्द किया जाता है।

[संख्या 16/2/65-पी० 4.]

जी० एल० बैलूर, अवार सचिव।